Tamil TIMES

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– Voltaire

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Peace in Sri Lanka – The Art of the Possible

S. Thondaman.

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TAMIL REFUGEES IN INDIA

Since July 1983, tens of thousands of Sri Lankan Tamil civilians from the northeast of the island have fled to India because of the continuing armed conflict and the atrocities and excesses committed by the Sri Lankan security forces. At any one given time, at least as many as 250,000 Tamil civilians have taken refuge in India particularly in Tamil Nadu.

Although the conditions under which the Tamil refugees were living there were not particularly congenial or comforable, at least they have been free from the risk to their personal security. Following the Indo-Sri Lanka Agreement of July 1987, a substantial number of these refugee families returned to their home areas. However when the confrontation between the Indian Peace Keeping Force and the LTTE commenced in October 1987, the situation changed and the overwhelming majority of the refugees continued to remain in India. Even during the period of that confrontation which lasted from October 1987 until December 1989, neither the Indian central government nor the Tamil Nadu state government required the Tamil refugees to return to Sri Lanka. In fact the position adopted by the Indian government was that they would not be asked to go back until they felt safe and secure to return to their homes.

With the outbreak of the so-called second Eelam war between government forces and the LTTE in June 1990 followed by intensified military operations which included a sustained campaign of aerial bombardment and the imposition of an economic blockade causing unendurable hardships for the civilian population of the northeast, there was a fresh exodus of tens of thousands of Tamil civilians to India. Even after the departure of the IPKF in March 1990, India did not require the return of the Tamil refugees to Sri Lanka.

Today an estimated 230,000 Tamil refugees are said to be in India. The fighting between government forces and the LTTE has not abated. It has in fact intensified day by day with the continuation of aerial bombardment. The economic blockade is continuing driving the civilian population to near starvation. According to reputed international human rights organisations like Amnesty International and Asia Watch, thousands of Tamil speaking defenceless civilians have 'disappeared' or have been arbitrarily killed in the areas of the northeast where the security forces have regained control. In addition, an estimated 750,000 people have been displaced internally and have become refugees and living in makeshift camps. Latest indications on the military front indicate that the security forces are poised to launch a major offensive in the northern areas, particularly in the Jaffna peninsula. The tragic consequences for the civilian population from such an offensive is not hard to imagine.

Hence it must be obvious to anybody that this is not the best time, in fact it is the worst time, for the Tamil refugees presently living in India to be required to return to Sri Lanka, that too to the war-torn areas. However, it would seem that the governments of India and Sri Lanka are united in their thinking that they must return, and in fact already one ship had left the Madras harbour on 20 January with approximately 600 Tamils. It is reported that the enforced departure of the rest of these refugees from India will continue in the coming weeks.

There is no doubt that the government of India, which had in the past adopted the view that Sri Lankan Tamil refugees would not be required to return until their safety and security in their home areas could be assured, has undergone a radical change of heart on the question of these refugees. It is widely speculated that this change has occurred following the assassination of former Prime Minister Rajiv Gandhi and the alleged involvement of the LTTE in that murder.

Many will share the grief and anger with the government, the various political parties and the people of India at this brutal assassination. However, it must be said that the uninvolved Tamil refugees living in India should not be penalised for a crime for which they were not responsible. Having acted in the best traditions of humanitarian spirit in accommodating hundreds of thousands of refugees at the time of their need, and magnanimously spent vast sums of money upon their maintenance for a number of years, it is hard to imagine that the Indian government could have, in the present circumstances, come to a decision to ensure their enforced departure to Sri Lanka where their safety and security will be gravely imperilled. Hence the government of India is urged to reconsider the matter and not to require the departure of Tamil refugees to Sri Lanka until such time as their safety and security can be assured.

PEACE: THE ART OF THE POSSIBLE

– Radhika Coomaraswamy

The proposals made by Minister S. Thondaman have unleashed forces which appear to have a 'deja-vu' quality about them. For those with a historical memory, there is a constant flashback to 1958, 1967, 1981 and of course 1987. Proposals put forward to end ethnic strife in this country are like political magnets. On all sides, they bring out our worst fears and suspicions, like the sub-conscious rising to the fore in unrepressed fury.

For those of us interested in democratic process, there has to be concern over this 'instant replay' of proposals leading to hysteria, hysteria leading to inflexibility, inflexibility leading to further militarisation and finally we await a lull in the fighting for a new set of proposals to emerge (often more dramatic than the earlier set) and the cycle begins afresh. We must also remember that there are safeguards and that any substantial constitutional amendment with regard to resolution of the ethnic crisis will require a two-third majority in parliament and probably a referendum.

For many people, any peace package is integrally linked to perceptions about the LTTE – a fighting force about which one English commentator after watching a BBC production claimed, 'I don't know what they do to the enemy, but they sure as hell scare the life out of me'. Can one compromise with such militancy is a question that is often raised by those opposing a peace package.

But to confuse the LTTE with the search for a political solution is to confound the problem further. Whether the LTTE is defeated or not, whether Prabhakaran lives or dies, the central question remains, 'what is the new social contract which will ensure a harmonious sharing of power between the centre and the Tamil periphery?' After so many years of bloodshed, can we expect a return to a pre-1983 status quo? To impose such a peace package is to force 'a treaty of Versailles' on the Tamil people and it will be only a matter of a generation before another Prabhakaran emerges.

Price of separatism

At the same time, the Tamil people should by now have learnt the costly price of asserting separatism, and any future leadership if it is to bring prosperity to the Tamils must also understand this fundamental truth.

In fact, one may argue that to say no political solution before a military victory is to beg the question. The fate of the LTTE among its own people and in the international community will greatly be determined by its ability to respond to a generous and fair proposal for peace which also protects the rights of the Sinhalese and Muslims living in those areas. If the Jaffna citizen has gathered up the courage to put up posters in defiance of the LTTE it is surely because Mr. Thondaman, on the one hand, and the Select Committee, on the other, have given them hopes of a just peace.

Are we really going to turn our backs on these opportunities and strengthen the hand of the LTTE by showing the Jaffna citizen and the world that the Central Government and the Sinhalese people will not even consider a process which may lead to peace and a resolution of the present crisis – especially when Mr. Thondaman is not asking for a ceasefire? Surely no polity can be so shortsighted if it wants to retain the unity of the country.

We have come to an important juncture in our political history and to recognise this juncture is to realistically seize the opportunity for peace. On the one hand, it is apparent that the Sinhalese have to eschew the majoritarian politics of the 1950s and accept the need to share substantial power with the Tamil periphery. The Tamils, on the other hand, have to eschew separatism. In between these two positions lies 'the art of the possible', 'the area of negotiation'. Any leadership of either community which refuses to learn this lesson at this point of our history will fuel the self-destruction of their respective communities, either permanent dismemberment, or effective genocide, or both.

To see negotiations on the resolution of ethnic conflict as the 'art of the possible' and not as an ethnic birthright is the only way forward for both communities. In both the Tamil and Sinhala ethnic groups there is the 'hard-core' who see every opportunity for compromise as an act of betrayal.

Their mutually exclusive perceptions and fears have driven the country to the brink of disaster. We have to finally learn to turn away from the primordial and work toward what is possible.

If negotiations on the peace package are approached with the proper mindset, then Thondaman's proposals leave the sphere of 'demonology' and become part of the process of negotiation and

Dr. Radhika Cooomaraswamy

compromise. In looking at past negotiations in this regard there appear to be the following five areas of contention:

1. The North-East Merger.
2. The nature of devolved power and the significance of the 'concurrent list' as well as 'national policy' in this area;
3. Law and Order;
4. Land;
5. Financial autonomy.

In every area there have been many proposals put forward by different groups, and many academic and research articles written by scholars of diverse backgrounds both here and abroad. What is needed is a rational assessment of these proposals and a creative attempt at compromise to ensure that the security and rights of all communities are recognised. The Select Committee will hopefully undertake its task with this sense of responsibility.

No communal boundaries

In this regard, can a visit to the North by Mr. Thondaman to gauge what the LTTE, the citizen committees and the people in the Jaffna peninsula are thinking, hurt such a process? He is not asking for a cessation of hostilities only for an appraisal of a negotiating position. In fact, one may genuinely ask, can the Select Committee make any meaningful deliberations without such an input.

Let us in this assessment of peace and war not forget the civilians of all communities. It is true that we must protect the rights of future generations of Sinhalese, Tamils and Muslims, that is our task, but we also cannot afford to forget the present. Before we drown ourselves in moral self-righteousness, let us think of them who suffer silently. When we empathise with their pain there cannot be any communal boundaries, only a common humanity:–

And therein lies the agony
The agony and the horror
That after all there was no martyrdom
Only the futility –
The futility of dying
The end of nothing
And the beginning of nothing
I weep red tears of blood
Your blood.

(Anne Ranasinghe, To my Mother)

Thondaman's Peace Package

T.S. Subramanian

The spotlight in the protracted Sri Lankan Tamil problem may once again shift to the Tamil heartland if the planned trip of the President of the Ceylon Workers' Congress (CWC) and Minister for Tourism and Rural Industrial Development, S. Thondaman, to Jaffna after January 1 to meet the top leaders of the Liberation Tigers of Tamil Eelam (LTTE) materialises.

He has already submitted to the LTTE the final draft of the party's proposals for peace. LTTE leader V. Prabakaran and deputy leader Gopalaswamy Mahendrarajah alias Mahatiya have received copies. Thondaman has received word from another top LTTE leader, A.S. Balasingham, that the organisation is studying the proposals.

A copy has also been given to the Select Committee of the Sri Lankan Parliament set up in November 1991 to find a solution to the Tamil problem.

According to the proposals, 'autonomy in a real and substantial sense' should be basic to the North-East, where Tamils live. Sinhalese opinion has not been kind to this. The Sinhala Buddhist Association, comprising monks, has already called Thondaman's efforts a 'traitorous exercise' and it is afraid the proposals will destroy the unity and sovereignty of the country.

Maximum Autonomy

The rub lies also in the LTTE's response. As Thondaman, 79, himself told *Frontline* in an interview in Colombo on December 22, 'The real answer to this is how the LTTE is going to look at it. If they respond to it favourably, I am hopeful we will have a solution to the Tamil problem once and for all.' He insisted that what mattered was not the 'framework' of his proposals but the 'substance of devolution of powers' to the North-East.

The document is entitled 'Peace and Political Stability in Sri Lanka, a memorandum from the Ceylon Workers' Congress submitted to the Select Committee of Parliament of Sri Lanka to recommend ways and means of achieving peace and political stability in the country.' Without mincing words, it states: 'It is the perception of the Ceylon Workers' Congress that maximum autonomy to the people of the North-East Province alone can stem the disintegration of the nation. A commitment from the Central Government and the majority community to share power with the people of North-East Province is imperative for peace.'

The proposals are a definite improvement upon the Indo-Sri Lanka Agreement because they do not talk of a referendum on the merger of the East and the North. They unambiguously state that there shall be an 'unbifurcated North-East Province.'

The memorandum declines to name the unit for the devolution of powers to the North-Eastern province. 'It is important that whether the instituion is called Provincial Council or Regional Council or State Council or State Government or Zonal Council, it should have the full plenitude of powers for the people of the North-East to adequately realise their aspirations. Autonomy in a real and substantial sense should therefore be basic. Till a consensus emerges on the appellation, the term Institution for Autonomy is used.'

It insists that the 'Government of Sri Lanka should commit itself unremittingly to bringing forth the relevant constitutional amendments and to enacting necessary legislation to make the Institution for Autonomy of the North-East Province potent.' Its two salient features are the suggestion on the formation of a union of pradeshiya sabhas where Muslims are in a majority in the North-East and the need to safeguard the interests of the Sinhalese.

The document states that 'an Institution for Autonomy shall be established for the unbifurcated North-East Province from such date as the President may appoint. The boundaries of the North-East Province shall not be changed except with the consent of the Institution for Autonomy.' There would be a Governor for the province, who will be appointed by the President with the concurrence of its Chief Minister. There would be a board of Ministers with the Chief Minister at its head. The leader of the political party which wins more than half the seats in the Institution for Autonomy, will be the Chief Minister. There would be a high court for the province.

Provincial List

The document dispenses with the Concurrent List – it says the Provincial List and the Reserved List are enough. Under the Provincial List, state lands in the province shall vest in the provincial government, which will administer, control and utilise them. Selection of families for settlement in the case of irrigation projects will be made by the provincial government on the ethnic balance of the province at the time of Independence. Mahaweli lands shall be alienated according to the formula embodied in the draft proposals of 1986. The provincial government shall have the authority to establish a provincial land commission, which would formulate the policy on land use.

On the contentious issue of law and order, it says the provincial government shall establish a provincial police force. The initial recruitment will be for 10,000 personnel, to be completed in three months. There will be a single police force for the entire province, including reserve, volunteer, special and other units. The force shall reflect the province's ethnic ratio.

However, a sub-section entitled 'Absorption of LTTE cadres into police and armed forces' is tantalisingly vague. It merely states:

'(a) The police force of the country will consist of (i) national police force; (ii) provincial police force. The national police force shall reflect the national ethnic proportions. The provincial police force shall reflect the provincial ethnic proportions.

'(b) With regard to the recruitment to the armed forces, a similar basis shall be considered for absorption from militant cadres.'

On planning and economic affairs, the document says the provincial government shall have the authority to establish a provincial planning commission which will formulate public and private sector investment programmes. It will also provide incentives for foreign and local investments.

On finance, it says the provincial government shall have full control over provincial public finance and it shall have the power to negotiate foreign aid. It shall have powers to plan, design and implement all irrigation works, drainage projects and schemes for groundwater exploitation. It can establish schools and universities other than those declared by laws of Parliament to be of national importance. Ports and harbours and even provincial television and broadcasting come under the Provincial List.

Reserved Powers

The Reserved List includes defence, foreign affairs, customs, pensions, posts and telecommunications and broadcasting by the Central Government, currency, coinage and foreign exchange, civil aviation, national highways, passports and visas and elections.

On the Muslim question, it proposes that pradeshiya sabhas with a substantial Muslim majority in the Eastern Province may form a union. Though not territorially contiguous, they could be administered by one body to be called the union of pradeshiya

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'There must be a public debate'

– S. Thondaman

S. Thondaman, president of the Ceylon Workers' Congress (CWC) and Minister for Tourism and Rural Industries Development, seems to be confident of forging a solution to the ethnic problem if he gets a favourable reaction from the island's Opposition parties and the Liberation Tigers of Tamil Eelam (LTTE) to the CWC proposals. T.S. Subramanian interviewed the 79-year-old leader of plantation workers at his Race Course Avenue residence in Colombo, guarded by commandos from the Sri Lankan security forces.

● *There were reports of your saying that you may go to Jaffna in January 1992 to hold talks with LTTE leaders including V. Prabakaran. Are you going to Jaffna in January?*

The invitation was there for me to go to Jaffna on December 10. But I could not. I told them (the LTTE) that I will not come on December 10 for two reasons: the people who are organising this visit want at least 10 days' notice and I have not held consultations with others such as leaders of the Opposition. So I suggested that my visit be rescheduled after Pongal (January 14). I am awaiting their reply and when I get the reply, I will fix the date.

● *What has the Ceylon Workers' Congress proposed to the LTTE as a solution?*

You can have a copy of it. I had earlier given the LTTE a summary of these proposals and they said it was positive and an advance. But they said it was not complete. This is the final copy I sent to the Select Committee (of Parliament).

● *Have you given copies of this complete proposal to the LTTE?*

I have already given two copies – one to Prabakaran and the other to Mahatiya (deputy leader of the LTTE). I have given copies to the President (R. Premadasa) and leaders of the Opposition including the Muslim Congress and others. It has become a public document. It has not been published in a detailed form. The real thing has not been reproduced.

● *What is the reaction of Prabakaran to the proposals?*

So far they have said they are studying them. The other day there was a message from (Anton) Balasingham (LTTE's political adviser) that this document sent to both Prabakaran and Mahatiya has been received and that they are studying them closely and that an early reply will come. In a day or two, I may get a response. It is already on the way.

● *What is the reaction of President Premadasa to your proposals? When he was asked at the post-summit (SAARC) press conference whether your efforts to hold talks with the LTTE had his approval, he said anybody was welcome to make efforts to resolve the Tamil problem. He said the All-Party Conference (APC) and the Select Committee have to study your proposals.*

The President said he is prepared to consider any proposal for peace. Though he is not committing himself, he is not averse to it. He has got a copy (of the CWC proposal). He wants to consider it. He does not want to commit himself in advance. He wants to keep an open mind. He also recognises the fact that whatever is agreed on the Tamil question (it has to be done) through constitutional changes. To carry out this, you need two-thirds majority in Parliament. Therefore, he has to get the support of the Opposition. So he is waiting to see how... That is my understanding and assessment.

● *How does the Sri Lanka Freedom Party view your proposals?*

I met Mrs. Sirimavo Bandaranaike. She is also very keen that an early solution should be brought about. I had met her when the earlier reply (from the LTTE) came. Therefore, I thought she will consider (the CWC proposals). I had fixed an appointment with her but as she fell ill I could not get her reply on this document. Earlier, she was keen on a solution.

● *One of the LTTE leaders, Thilagar, called me up from Paris on December 18 and said you have two limitations – being the CWC president and a Minister. He also said you have to work within the confines of a Sinhala-majority Parliament.*

They are not limitations. They are advantages. They are favourable (to me).

● *In what way are they favourable?*

As a CWC man, I am free to give any proposal according to my conscience. As a Government man, I will have restraint; without the prior approval of the Government, I cannot do that.

As the CWC leader, I have the freedom and liberty to suggest what, in my opinion, is feasible. To that extent, it is an advantage to solve the problem. That is how I was able to solve the problem of statelessness of the Indian Tamils.

When one is negotiating, one should not find faults. How to carry forward... That should be your approach and your ambition should be to achieve your objective.

● *Thilagar said the LTTE cannot accept the unitary Constitution of Sri Lanka but the LTTE is prepared to consider favourably a federal set-up.*

When you talk of infrastructure like a federation... We are now concerning ourselves about the substance of devolution. If we can agree on the powers of devolution and substance, it is easy to achieve it rather than the framework. The framework is federal. The substance of the matter you are going to handle (is important).

● *When I met you on November 15, you said the LTTE wanted full autonomy for the North-Eastern Province.*

I have indicated in this package the substance of devolution that will ensure full autonomy; so much so that some people feel this is more than Eelam. Therefore, if what you want is devolution, you are going to have it. If you talk in high-flown definitions, nothing will come out. It will be watered down and there will be nothing in the package. I have concentrated on what is necessary to look after their own affairs.

● *Do you expect a favourable reply from Prabakaran?*

It will be unfortunate if I don't get a favourable reply. I am able to do it because I am the president of the CWC. If I had acted as a Minister, I will not dare even suggest this.

● *What is the reaction of the APC and the Select Committee to your proposals?*

They have been talking for months and years. You cannot mix this with that. This is receiving the attention of the public. Now, it is not for us to compare with the APC or the earlier document. We should get around. The real answer to this is how the LTTE is looking at it. If they respond to it favourably, I am hopeful we will have a solution to the Tamil problem once and for all.

● *When the Indo-Sri Lanka Agreement is in place, do you think India will approve of your efforts?*

They must be happy. The Muslim Congress president Ashraff, says this is a definite step, far ahead of the Indo-Sri Lanka Agreement. The Government of India signed the Indo-Sri Lanka Agreement to help the Sri Lankan Tamils. Therefore, it ought to be happy if this agreement comes through on the basis of this formula. All the refugees in India can come back. What else do they want? Therefore, I feel it will be welcomed by India.

● *Do you think India-Sri Lanka relations will improve now that*

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Human Rights, Sovereignty and Devolution

(Statement by the Civil Rights Movement of Sri Lanka on 25.10.91)

When there is criticism of our human rights record from abroad, we hear, all too often, the sentiment expressed that other countries should mind their own business and that what happens here is solely our own affair.

Such a viewpoint, though morally wrong, would have been legally correct some years ago. But today it is legally wrong as well. It is accepted law today that the doctrine of sovereignty of states no longer holds good *so far as a state treats the fundamental rights of its subjects.* The concept of national sovereignty has *in this respect* given way to the concept of international responsibility. As one expert has lucidly put it:

> 'Had a well-meaning delegation from abroad called on Chancellor Adolf Hitler in 1936 to complain about the notorious Nurenberg laws, and the manner in which they were being applied to persecute German Jews, the Fuhrer would probably have dismissed such an initiative with the classic phrase of "an illegitimate interference in the internal affairs of the sovereign German State", pointing out that these laws had been enacted in full accordance with the provisions of the German Constitution, by an assembly constitutionally and legally competent to enact them, and that neither they nor their application were the concern of any meddling foreigners. And, in international law as it then stood, he would have been perfectly right – and so would Party Secretary-General Josef Stalin have been if a similar delegation had called on him at around the same time to complain about the wholesale liquidation of the Kulaks in the Soviet Union.
>
> Were such delegations to call today on some of the world's living tyrants to complain about the injustice of some of their laws, those protests too would doubtless be dismissed with the same phrase. But in international law as it stands today, those tyrants would be wrong. For since Hitler's and Stalin's time there has been a change in international law so profound that it can properly be called a revolution. Today, for the first time in history, how a sovereign state treats its own citizens is no longer a matter for its own exclusive determination, but a matter of legitimate concern for all other states, and for their inhabitants.'
>
> **Sieghart:**
>
> *The Lawful Rights of Mankind.*

The writer then goes on to explain that 'The formal product of that revolution is a detailed code of international law laying down rights of individuals against the states which exercise power over them, and so making these individuals the subjects of *legal* rights under that law, and no longer the mere objects of its compassion.' (ibid). It is now necessary that both the existence and the content of this code become known more widely, not only by lawyers and politicians, but also by the ordinary citizens for whose protection they exist.

The other theme that is often talked and written about in Sri Lanka today is that of various forms of devolution. The All Party Conference is supposed to be trying to reach a consensus on this. The parliamentary Select Committee headed by Mangala Moonesinghe would, presumably, look into possible models of devolution, or modifications of the Provincial Council system created under the 13th Amendment to the Constitution. H.L. de Silva's booklet opposing a federal system and saying that instead, the Provincial Council system must be given a proper chance to work, has been widely reproduced and discussed in the national press. Dr. G.L. Peiris, Vice Chancellor and Professor of Law of the University of Colombo, on the contrary, argues that federalism can be the only viable mechanism for holding together a nation torn asunder by cultural, religious and ethnic differences. More recently, discussion has centred on a different aspect of the mode of government – the Executive Presidency versus the 'Westminster' parliamentary model.

The question of securing fundamental rights has so far not figured

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SAARC is back on the rails? Will the bitterness fade away?

I don't think there was bitterness at any time. The two have such a long tradition of friendship that any single incident will not create bitterness. If some misunderstanding crops up and it is cleared, it will go back to the state of long friendship.

● *Did you discuss your proposals with Prime Minister P.V. Narasimha Rao when you met him in New Delhi in November?*

He is aware of them. When I was in conversation with him at that time, Jha (Indian High Commissioner in Colombo) was also there. The question of return of (Sri Lankan Tamil) refugees came up. Jha informed him that when the refugees go back, they will be put up in camps. Rao said, 'Why should poor people go back to the camps?' He told me, 'You are in touch with the LTTE and why don't you sort it out – the refugees going back to their villages.' Therefore, he also wants a solution to the problem.

● *You said Narasimha Rao is aware of your proposals?*

The Indian High Commission may have sent it to him. All the embassies are picking it up.

● *Do you think it is premature to reveal it?*

No; no. There must be a public debate.

● *There were reports that the LTTE would kidnap you if you go to Jaffna. . .*

These are all stories by people who don't want this to go through. This is a ruse by them. I don't attach much importance to this. It is a mischief.

● *There are reports that the LTTE is infiltrating the Tamil plantation areas. . .*

It is a dream. That is the day-dream of some people.

● *I mean the physical infiltration of the LTTE. . .*

Any form, morally or physically. For 50 years, we have survived.

('Frontline', 17.1.92).

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People & Politics

★ Campaign Against Peace Proposals

The much publicised proposed visit of cabinet minister S. Thondaman to Jaffna has been abandoned, at least for the time being, amidst a hysterical and vicious campaign orchestrated by extremist Sinhala-Buddhist chauvinist forces in the south of the country against his visit and proposals he has submitted to the all-party parliamentary select committee appointed to find ways and means of resolving the ethnic conflict. The campaign is reminiscent of many such inglorious ones of past years when these same forces prevented any negotiated settlement of the ethnic question and brought the country to its present pass – rocked by continuing violence, death and destruction.

Reincarnations of K.M.P. Rajaratnes, L.H. Mettanandas, N.Q. Diases, and Cyril Mathews of a bygone era jumped on the band wagon of this campaign in the form of Gamini Jayasuriya, Dr. Gunadasa Amarasekera, Dr. Nalin de Silva, Rev. Dr. Walpola Rahula and some other leading Buddhist prelates. The 'Sinhala Arakshaka Sanvidhanaya' (Movement for the Defence of the Sinhalese) under the leadership of Mr. Gamini Jayasuriya has been formed which can claim direct lineage from the Bauddhi Jathika Balavegaya, Sinhala Bala Mandalaya, Eksath Bikku Peramuna, and Maubhima Surakeema Sanvidhanaya of yesteryears. This organisation has been established with the 'aim of protecting and safeguarding the just and inherent rights of the Sinhala masses'!

Not uncharacteristically, the Sinhala mainstream printed news media, most notably the 'Divayna' and the 'Lankadeepa' offered prominence and space for this campaign of denunciation and distortion of Thondaman's proposals. The old and famous Sinhala-Buddhist ideologue, Ven. Madihe Pannaseeha Maha Nayaka Thera characterised his proposals as coinciding with the very demands of the LTTE and regarded it as a betrayal of the Sinhala Buddhists. The All Ceylon Buddhist Congress rejected the proposals describing them as a 'frankenstein monster'.

'The Most Venerable' Rambukwelle Vipassi Thero, Maha Nayake of the Malwatte Chapter, (speaking at a meeting called by Buddhist Societies at the Kandy Dalada Maligawa to protest over reports that the government was going to permit the construction of a Muslim school on the land which was occupied by a bus depot and at which a resolution was adopted to launch a fast unto death if the government went ahead to allocate the land to build a Muslim school) declared his position in characteristic style: *'The proposals of Mr. Thondaman which were designed virtually to hand over Eelam on a platter to the Tamils of north and east without saying so in so many words should be rejected totally. It is bewildering to all that Mr. Thondaman who represented only a minority community should be sent to the North and East to talk peace while there were so many Sinhala leaders in the country. These proposals which have been presented in a manner most inimical to our country and the nation threatening dire consequences should be vehemently opposed by us, the Sinhala-Buddhists who are the legitimate heirs to our land'.*

If one believed that Buddhism stood for peace and non-violence, the man who occupies the exalted position of the Vice Chancellor of the Kelaniya University, Aggamaha Panditha Venerable Professor Dr. Walpola Rahula Thera did not have any such illusions. In a statement issued to the press he declared, *'Currently there is dreadful war in our country. In the meantime there are proposals for peace talks. I too have been invited to send in my proposals. I sincerely feel that this is not an opportune time for talking. We should not forget the disaster caused by holding such peace talks earlier. We should see to it that we don't act in such a short-sighted and unwise manner again. Not only should we stop holding talks, but stop also all meaningless celebrations until this war is ended. We should first conclude the war. Only then should we conduct talks and have celebrations'.* The message of this Buddhist prelate of some international repute is clear: fight and fight, kill and kill, defeat the enemy, then we can have talks with the vanquished followed by celebrations. Very Buddhistic indeed!

If anyone wants evidence as to why the ethnic conflict is still raging in Sri Lanka, the article prominently published in the 'Divayina' of 25 and 27 December 1991 by Dr. Nalin de Silva of 'Jaathika Chintanaya' fame provides it:

'Defeating the LTTE is a matter of time. What must be done today is to defeat the LTTE utterly and absolutely. This is the best time to do so. To enter into discussions with the LTTE at this moment in time is tantamount to betraying the country to Tamil chauvinism. . .The objective of these proposals (Mr. Thondaman's) is to grant Prabhakaran a Tamil state without using the word Eelam. In one way, these proposals are even one step beyond the demand for Eelam. An Eelam state would have to draw on some financial resources from within the country, while receiving foreign aid; but according to the proposals, the Sri Lankan government would be committed to give some financial support to the Tamil state. The Tamil government would have no reciprocal obligations. The result of these proposals will be the birth of a Tamil state in the north and east and in a short time one would also witness the absorption of Mr. Thondaman's 'Malainadu' (hill country) to this Tamil state. . .

'Not only the LTTE but all other parties with the words Tamil or Eelam or both in their names, believe that from way back in history there have been two ethnic groups – Sinhala and Tamil – in Sri Lanka and that north and east have been the traditional homelands of the Tamil people. . .

'There are no two ethnic groups that have lived in this country for thousands of years. It is only the Sinhala people who have inhabited this island for over a thousand years and who have a traditional and unbroken culture'.

It is generally believed that Mr. Thondaman's peace efforts including his proposals and the proposed visit to Jaffna to talk to the Tiger leaders had the blessings of President Premadasa. However, as the anti-Thondaman campaign went into over-drive and when Lalith Athulathmudali and other UNP rebels dubbed the proposals as those of the President and that Mr. T was only acting as proxy for him, the President began to distance himself from Mr. T's peace efforts by saying that the 'government would not accept unilateral solutions and that any settlement must receive the approval and consensus of all sections of the people'. He also appears to have persuaded Mr. T to submit the document containing his proposals to the Parliamentary Select Committee. As a consequence, it is now up to this Committee to consider the proposals along with others that may be submitted.

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Refugees afraid to return to Sri Lanka

Thousands of Tamils who fled the war at home and settled in India are to be 'voluntarily repatriated', writes *Julian West* in Madras.

When Asokan, seven, landed on the shores of southern India, a refugee from Sri Lanka's civil war, he could not read or write, and showed no interest in playing with other children. But he could take apart, oil and reassemble a sub-machine-gun in two minutes – a skill learnt from the Tamil Tiger guerrillas who had drafted him into their 'baby brigade'.

'Many of these children were deeply traumatised,' said S.C. Chandrahasan, head of OFERR, a refugee group in Madras. 'They were insensitive to suffering, and would refer to death and violence quite unemotionally.'

Gradually Asokan, and children like him, have been educated and taught to play games. This month, however, India and Sri Lanka agreed to the 'voluntary' repatriation of up to a third of the 110,000 refugees living in 192 camps in Tamil Nadu state. The war in Sri Lanka between Tamil separatists and the Sinhalese majority has slowed but is far from over, and relief workers now fear for the future of these children.

Yesterday the first ship sailed from Madras for Trincomalee with some 600 Tamils, mostly Sri Lankan government workers and their families. Colombo kept their jobs open, but they have now been given an ultimatum to return or risk dismissal. In Trincomalee they will be temporarily housed in abandoned tourist hotels. It is an area under only tenuous army control, where Tigers strike at night, and where masked para-militaries have abducted Tamils from refugee camps.

'These people fled bombings and indiscriminate arrests and disappearances,' said Mr. Chandrahasan. 'They're returning to the same situation they left.' Some 700,000 people in Sri Lanka are still displaced by war; food in many camps is also in short supply. 'Most relief organisations view this operation with misgiving. The situation is pretty grim,' said Bill Clarance, a former representative in Colombo of the United Nations High Commissioner for Refugees. The UNHCR, which runs two relief centres on the island, has refused to take part in the operation because it cannot verify whether people are returning voluntarily.

The repatriation reflects India's change of heart towards Tamil refugees since the murder of Rajiv Gandhi in Tamil Nadu last May. The Indian government had earlier resisted calls by Sri Lanka to repatriate people. But the assassination and a rise in violent crime has withered Indian Tamils' compassion for their cousins. Some politicians have demanded the return of 220,000 Sri Lankans living in the state.

Indian officials say 30,000 refugees have agreed to go home, although OFERR says it is nearer 3,000. Confusion was caused because the first survey was in English, which is understood by only 15 per cent of the refugees, who are mostly farmers and fishermen. Many signed the forms in the belief that they would receive hand-outs. Some were threatened with loss of their dole, or told they would be rounded up by police.

Sebamalai Suyambu, 41, nervously twisted the ends of her brown sari as she told of the panic she felt after Indian officials arrived with repatriation forms. 'We weren't told we would be sent back,' she said. 'They just said we must sign. I have three teenage girls. If we return, I'm afraid the army will molest them, or the Tigers will take them and they'll die. In Sri Lanka I was so afraid of the army I couldn't sleep. I don't want to return – I'm happy here.'

It is hard to believe anyone could be happy in the cyclone shelter where Mrs. Suyambu lives. Up to 190 people live in a two-storey space no bigger than a large living room. Inside, the air is acrid with the smells of cooking fires and human bodies. Families live in 'rooms' partitioned by hangings. The only pristine objects are a black-and-white television, donated by an aid agency, and an altar made by a refugee to commemorate the death of her son, a Tiger. Two small red bulbs and a wreath of fresh jasmine frame a portrait of the young man.

Yet few refugees are willing to exchange even this squalid existence for the terror they left behind. 'It was insecurity that made these people leave,' said Mr. Chandrahasan. 'In a refugee community, no government should give an ultimatum. The situation is very bleak.'

'The Independent' (London), 21.1.92).

MIRJE Favours Discussion on Thondaman's Proposals

The Colombo-based Movement for Inter-Racial Justice and Equality (MIRJE) has expressed its dismay at the current campaign against the peace proposals made by cabinet minister S. Thondaman, and has urged President Premadasa and his government to take the initiative in formulatng a political settlement. The following is the text of the statement dated 7 January issued by MIRJE:

'The proposals put forward by Mr. Thondaman for a political solution to the ethnic problem have generated a great deal of discussion and debate. Some of the issues raised are legitimate; negotiations must not merely be a temporary respite from a continuing war; they must necessarily be directed towards a settlement that will enable the Tamil people to take their place with dignity and equality within a united and democratic Sri Lanka. It is however a matter for regret that most reactions have chosen to ignore not only the current realities of Sri Lankan society and politics, but also the bitter experiences that all ethnic groups have gone through during the recent past.

In 1989 the Sri Lankan state accepted the multi-ethnicity of our society and the need for a political structure that reflected this fact. It agreed to set up a system of provincial councils, with one such council for the temporarily merged Northern and Eastern provinces. Though its agreement may have been obtained under duress, it did have the potential of resolving the conflict through new political arrangements. That the solution was not allowed to succeed was due to two reasons: the intransigence of the LTTE and the obvious failure of the government to show the Tamil people that power would genuinely be devolved and that the provincial councils could meet their political aspirations.

The attempt may have failed but it did show that the only way out of the impasse was a political structure based on devolution. Since then almost all shades of political opinion have indicated some acceptance of this concept, with debate centering on the precise degree of devolution that was deemed acceptable. The course of developments since 1989 have convinced us that the acceptable degree of devolution must now be a considerable advance on the provincial councils; a federal structure would probably be the most appropriate.

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A REVIEW ESSAY: On Monographs by H.L. de Silva and C. Suriyakumaran

From Devolution to Federalism

– Amita Shastri –

H.L. de Silva. **An Appraisal of the Federal Alternative for Sri Lanka.** Dehiwela: Sridevi Printers, July 1991. pp.41.

C. Suriyakumaran. **Devolution in Sri Lanka: Origins and Concepts.** Colombo: CRDS. Monograph series, No. 1, April 1991. pp.29.

The two monographs under review are significant for the current debate on a political solution to the ethnic problem in Sri Lanka. They evaluate the existing provincial council system and the potential it offers for a more participatory form of governance to resolve the contentious problem of the north-east.

The first monograph has been given considerable publicity recently (see *Island*, 10 August 1991, and *Daily News*, 11 August 1991). Its author is distinguished lawyer, H.L. de Silva, who was appointed a President's Counsel under President J.R. Jayewardene. The monograph seeks to evaluate the suitability of an 'undiluted federal system of government' in Sri Lanka. In doing so, de Silva is responding to the advocacy of federalism as a solution to the Tamil problem by several notable speakers of Tamil origin (both Indians and Sri Lankans) at an academic conference in Madras earlier this year, before the assassination of the former prime minister Rajiv Gandhi. He cautions against the acceptance of this 'facile idea' and argues that the provincial council system which was introduced by the Thirteenth Amendment to the 1978 Constitution should be given a fair trial.

As de Silva points out, the constitutional scheme fashioned through the Thirteenth Amendment in September 1987 was not something imposed solely by the Sri Lankan government but the outcome of negotiations and consultations over a period of nearly three years between the governments of Sri Lanka and India and 'a number of Tamil parties' (p.3). After late 1984, the discussions were held with the understanding that any solution would have to be within the unitary framework of Sri Lanka because of the difficulty posed by the requirement of referendum in the event of a change to federalism. Except for the interim merger, the Amendment represented the proposals negotiated from 4 May 1986, to 19 December 1986. While he finds it 'unnecessary at this point to go into the cause that led to the breakdown in the administration of the North East Provincial Council (NEPC) culminating in a unilateral declaration of Independence by its former Chief Minister, it would be clear to any objective observer that the NEPC operated for too short a time for anyone to assess its chances of success or failure'. So he argues, the devolution experiment should not be abandoned because of the intransigence of extremist elements. In doing so, de Silva blithely ignores the intransigence of the Sri Lankan government in not following through on their promises and swiftly devolving powers to the provincial councils, especially that of the north-east, where the Tamil groups who had given a more willing assent to the Accord had placed themselves at substantial risk through election to the NEPC. Yet, they failed to be given the police personnel, arms and funds to establish their authority leaving them ever more dependent on the Indian forces and increasingly seen as its creatures. It is precisely those elements with whom the Sri Lankan government started talks who today form the intractable part of the politico-military equation in the north-east.

Old thesis

De Silva continues to advance the old thesis regarding the deep-seated fear and apprehensions of the majority community whose position worsened and deteriorated under colonial rule, and was threatened by an aggressive minority who had once enjoyed special privileges and benefits. Regrettably, the beliefs of Sinhala Buddhist chauvinists continue to inform the ideas of those who are the custodians and interpreters of the law.

Despite the tragic events in Sri Lanka, and the now publicly admitted biases in the constitutions and laws that have been promulgated in the post-independence period, he continues to advocate the need for a spirit of 'higher nationalism and spirit of amity, tolerance and compromise' and holds the view that federalism would necessarily exacerbate inter-ethnic differences and rivalries and pave the way for secession. His chief argument against federalism is a quotation from Nordlinger citing the fear that a grant of partial autonomy could provide the impetus for demands for greater autonomy. And despite evidence and numerous studies to the contrary, de Silva continues to make a case for a unitary constitution due to Sri Lanka's small size, scarce resources, the efficiency and speed of centralized administration, the need for a nation wide uniform organisation of administration, the greater cohesion and unity created, as well as for the tradition of unitary government that exists on the Island.

He evinces surprise that there is enthusiasm with the federal system in India despite the imposition of presidential rule in various states. He, however, seems oblivious to the fact that according to numerous observers, the problem in India has too often been control and interference exercised by the Centre and its leadership which has led to regional reactions, more often than a problem of a misuse of powers by state governments. He looks on the agitation of new ethnic groups for separate Provinces in India and the government's recognition of them in a negative light, rather than as a positive recognition of regional differences and interests. (p.20)

Federal principle

Interestingly, however, de Silva proceeds to argue the 'federal principle' has already been incorporated into the political system through the Thirteenth Amendment, even though formally the political framework remains a unitary one. De Silva differs with the view of the majority opinion in the Supreme Court (Sri Lanka Law Reports 1987 (2) 312-410) and its interpretation of Wheare's definition of a federal constitution, characterizing it as being unduly narrow and unsound. He agrees with the minority opinion in the case: that the restrictions on the habitual exercise of legislative power by the Parliament on subjects allocated to the provincial councils amount to the federal principle being in place in Sri Lanka. He feels the exercise of power by the Parliament on provincial matters 'quite exceptional' and 'impossible' unless the central government controls more than six of the eight provinces. Likewise, unlike in Canada, the Governor can refuse assent to provincial statutes only if the Supreme Court determines that a statute is inconsistent with the Constitution. He views the restrictions on parliamentary power over provincial councils as being merely matters relating to the 'manner and form' of legislation. He argues that the provincial councils, in effect, legislate over an exclusive field of subjects and that the statutes passed by them, in effect, do not constitute 'subordinate legislation'. In his view, the provincial councils can legislate on the concurrent list of subjects also with no restrictions. He also challenges the position of the Supreme

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Court which contends that the governor is at all times required to act in accordance with the instructions of the President. (pp.34-38)

Disagreeing with the Supreme Court, he feels that the Thirteenth Amendment changed the constitution to a quasi-federal one and that the constitutional position currently obtaining in Sri Lanka is not substantially different from the federal system in India. Consequently, he feels any demands for a federal structure of government, which could decrease the centralizing features, add further subjects and functions to the provincial list, or confer increased autonomy in financial matters on the provinces are unwarranted by 'any demonstrable inadequacies in the content of regional autonomy' (p.40) and would want to know what powers are being demanded before conceding additional powers. Instead, he argues for the need for constitutional conventions to develop for appropriate central controls as regional autonomy. This clearly is a cautious, pro-centrist point of view. It ignores the fact that the past decades have been precisely the strong centralizing tendencies of the state, especially in the eighties.

Provincial powers

It is the issue of merger coupled with significant provincial powers over certain subjects that proves to be the most difficult to accept for de Silva. It is this that constitutes the crux of the problem and over which the fears of segments of the Sinhalese majority continue to be reflected and represented in de Silva's arguments. It is perhaps why his views have been given such wide coverage in the media. He seems to have no problem with conceding control over the two most difficult subjects relating to (1) ('national') land resources, their development, use, alienation and settlement, (2) powers to maintain law and order in the regions, to the Tamil-majority Northern Province. But he strongly objects to doing so to a merged North-Eastern Province. In his words, the single most intractable 'formidable obstacle' (p.26) to the federal system in Sri Lanka is the lines of territorial demarcation for the proposed Tamil state. As he succinctly says, 'The solution from the Tamil point of view is itself a problem from the Sinhalese point of view' according to which '. . .the federal demand is thought to be a cloak for the exclusive possession and appropriation or a significant part of a country's territory' (p.26). The idea that the whole subject of land, land development, land settlement, land alienation should be a regional subject solely is considered 'anathema' to Sinhalese opinion. He feels that since the only areas now available for future expansion and settlement are the Northern Province (NP) and Eastern Province (EP), it is 'unconscionable' that the 74% of Sinhalese population be asked to concede control of 30% of land and 60% of coastline to 13% of the Tamil population.

Clearly, the latter figure omits the significant Muslim and estate Tamil population to be also found in the region. More importantly, we have here the familiar argument of a majority community raising questions about the resources the minority have or want to hold without taking into account the large areas of national political, economic and social life over which the majority community has increasingly established control. The argument has a familiar ring to it; similar arguments having been made in the past in order to establish disproportionate control by majority over seats in Parliament, the official language, recruitment to government services, university admissions, and effectively over public funds and projects. As a counter to the 'evident injustice and unfairness' of the minority demand, de Silva proposes a new scheme which would be 'just and equitable' (p.28) – and that is to sub-divide the EP for administrative purposes for inhabitation by all three ethnic groups in proportion to their population in the province – a solution which was proposed by JR and agreed to by Rajiv Gandhi in the Bangalore meeting in November 1986, but which was rejected by all Tamil political parties who insisted on an amalgamation of the NP with the EP. How the administration of the three sub-divided units, with their non-contiguous territories would be carried out is not spelled out.

In a particularly interesting argument found in the book, de Silva raises doubts about the validity of the proclamation made by JR declaring NP and EP to be one administrative unit under an emergency regulation in contradiction of the provincial Councils Act No.42 of 1987, section 37 (1) (b). He bases this argument on a narrow interpretation of the 'law' used in Article 154 A (3) introduced by the Thirteenth Amendment, which has the effect of excluding the emergency regulation under which the temporary merger was effected. As a result, according to him, there is no need for a referendum to delink the two provinces!

In short, de Silva points to the paradoxical nature of the process of devolution that is underway in Sri Lanka when he concludes that Sri Lankans are practicing the essence of federalism even while professing to be 'diehard unitarians' and foresees a problem of 'acute constitutional schizophrenia' for future judges and lawyers, he has no problems with the existing distribution of powers and functions between the Centre and the provinces, his main cause for concern being the possibility of a merged NEPC claiming control over the subjects ostensibly devolved to the provinces by the Thirteenth Amendment.

In contrast for C. Suriyakumaran the author of the second Monograph under review, this schizophrenia is not a problem for the future but of the present. In his monograph, *Devolution in Sri Lanka*, he concretely investigates and identifies various provisions which are unsatisfactory and, indeed dysfunctional for the attainment of harmonious participatory and decentralized development.

Suriyakumaran is one of Sri Lanka's senior most civil servants who has wide experience of diverse contexts and international agencies. This experience with public administration and public finance is evident in his analysis. In addition he has been visiting professor at the London School of Economics and Political Science He has also been closely connected to SWRD's ideas on regional devolution and the Bandaranaike-Chelvanayagam Pact of 1957.

Lucid exposition

The monograph is an amazing piece of clear-thinking and lucid exposition. The dilemma of the unfounded fears of a majority and the need for acceptance of minority needs and interests in a process of 'power-sharing' are treated in a restrained and balanced fashion. In a complete difference of perspective from the monogaph reviewed earlier it asserts that devolution involves a sharing of governmental power of the provinces or regions with the centre. To quote him: 'These powers are entrenched in the constitution, along, with financial resources for them and they may not be varied according to the whims or fancies of either party. The Centre obviously has ineradicable prerogative on certain national policies such as defence external affairs money, ...Simultaneously, under devolution, it has obligations to the periphery to honour and to support the latter's areas of Power and authority, in use of resources, in functions in finance, in development and so on.' As he points out, these ideas are not restricted to a multi-ethnic society but are basic to democratic governance and development. To Suriyakumran, the formal nomenclature adopted to describe the division of powers (federal, quasi-federal, union of states, etc.) is not material but a genuine process of devolution is important. He asserts that '. . .while the politics of devolution has been divisive the principles of devolution are in fact highly integrative' (p.5) When the causes of dissen-

sion and discontentment of social and regional groupings are honestly removed an overriding national identity has a chance to grow. This is an insight which substantially applies to the approach adopted by the Island's sprawling neighbour, India, but one which analysts like de Silva unfortunately continue to miss.

It is Suriyakumaran's view that the devolved structures set up in Sri Lanka 'reflect many shortcomings, most of which, it would seem, are the result of inadequate formulation by the Centre.' To adequately recognize the needs for identity, security and opportunity for its peoples, devolution needs to adequately resolve issues of territory, language, land, police, judiciary, provincial functions and finance. He considers the Accord and the Thirteenth Amendment a 'radical departure from previous patterns with some resemblance to the BC Pact arrangement, but certainly wider than even the latter in scope and content.' In his view, it created a provincial system of offices, powers and functionaries with a potential for genuine devolution. The provincial council functions ostensibly include all the critical functions relating to police, planning, housing, roads, irrigation, land, industrial planning, taxation and borrowing. In this his view substantially concurs with de Silva's.

However, he identifies several shortfalls demonstrated by the manner in which provincial councils have functioned in political, administrative and financial terms. In his view, they emerged as badly served institutions alongside the Kachcheri and regional office structure. They suffered from inadequate staff, facilities, and funds. The Central government chose to interpret powers in a restrictive manner over a whole range of subjects which were apparently within the provinces such as law and order, public services, education, transport, planning and development and so on. It also interpreted and used the capping provision over 'National Policy' on the reserved list of the Centre in generous fashion to effectively cover subjects which were ostensibly provincial ones. Similarly powers in the concurrent list remain ill-defined and were similarly generously construed by the Centre. Important powers relating to land, port and harbours, foreign trade, and foreign finance remained on the reserved list of the Centre. He considers the position of Governor, as presently constituted, possibly a 'serious block to genuine autonomy' but which could be alright if it were rightly interpreted in keeping fully with the spirit and substance of a genuine democratic devolution.

Thus, in Suriyakumaran's view, provincial councils were from the beginning not destined to function properly or effectively. They could not undertake meaningful or progressive development and social activities, and the arrangements that have been made to date allow for a decentralized administrative rather than a devolved 'power-sharing' type of process. The underlying factor responsible for this situation has been the reluctance of the Centre to divest itself of the controls it has exercised traditionally since colonial times.

Muslim minority

Totally neglected by the system brought in by the Thirteenth Amendment, however, were provisions for the special needs of the Muslim minority and, by extension, concentrations of all minority populations. Also neglected were provisions for effective minority participation in the structures of Central government as essential ingredients to enhance national unity and integrity.

He calls for a need to understand, accept, and straighten out several concepts and arrangements if the goals of participatory development and ethnic satisfaction are to be attained. As he emphasizes, at the heart of devolution is its characteristic of sharing of powers between the Centre and the regions. The process is not merely about a performance of functions or a receipt of fundings from and on behalf of the Centre by the provinces. Consequently there is a need to do away with the current system of dual control exercised by the Centre and to fully devolve powers over certain subjects and their administration to the provincial councils. He feels the provisions relating to planning and finance are inadequately provided for the PCs under the Thirteenth Amendment and there is need to either reinterpret them very restrictively for the Centre or to redefine them to clearly strengthen them for the provinces. Such provisions should be structured so as to allow for assured and progressively direct sources of revenues for the provinces. The provinces should, moreover, be allowed to actively explore and manage sources of external funding, even while the actual negotiation and authorization for such aid is the prerogative of the Centre. The effort in all circumstances should be for Central powers to advance and harmonize genuine national needs, not to even 'unconsciously' restrict provincial intiatives. (p.18)

In relation to the contentious issue of the unit of devolution and the merger, Suriyakumaran finds nothing sacrosanct about the existing number of provinces. To deal with the Sinhalese fear of an oversize NEP, he presents the advantages of a demarcation of boundaries to create as few as four or five units in all, which are drawn out keeping considerations of watershed areas and ethnic characteristics in mind. Sinhalese majority areas in the NEP could be joined to adjoining provinces and a cantonal-type arrangement and sub-committee would perhaps, in his view, serve to protect Muslims rights and entitlements in the merged NEP. Such an arrangement would be appropriate for other minority groups such as the hill-country Tamils too. He also upholds the need to provide the capital city with an autonomous national status of its own, administered to reflect national outlook and features. Such a structure would reap benefits of the larger, regional scale while also safeguarding smaller minority interests.

In addition, to strengthen the integrative intent of devolution, he prescribes measures that need to be taken to enhance national and minority security. He also suggests measures that need to be undertaken to increase the representation and incorporation of minority interests at the Centre. As he says, this is an aspect which has been 'amazingly neglected' in the whole discussion about the integrative possibilities (or otherwise) of devolution, despite being 'so essential, and obvious.' (p.21)

The monograph is the first of a series to be put out by the newly-established Centre of Regional Development Studies and should constitute essential reading for anyone interested in public affairs on the island. The series producers plan to present carefully researched studies by experts in each field in a concise, readable form and to advocate solutions. If this and the next volume put out in the series (see C. Suriyakumaran, **Fiscal Devolution.** Colombo: CRCDS Monograph series, No. 2, April 1991. pp.45) are any indication, they promise to more than fulfil their objectives and should be given serious consideration by policy-makers in Sri Lanka.

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Amnesty International

Human Rights Violations in North-East Sri Lanka

(Continued from last issue)

The Ministry of Defence responded to this query in a statement dated 17 October 1990. According to this statement

> 'Cordon and search operations were conducted at Vandaramullai Eastern University refugee camp on 05.09.1990 and only the undermentioned 31 persons were taken in for questioning. They have all been released within 24 hours.'

A list containing the names, ages and addresses of 31 people is contained in the Ministry of Defence statement. To Amnesty International's knowledge, none of these 31 people had been seen by the time the Peace Committee and the member of parliament made their inquiries about two weeks after the arrests took place, despite the claim that they had been released. Although the arrests of a further 127 people had been witnessed, no mention at all of the fate or whereabouts of these people is made in the ministry's statement.

The names of hundreds of people reported to have 'disappeared' following round ups in villages have reached Amnesty International. In one incident, over 160 people were reportedly taken into custody from four villages in Batticaloa District: Kokkuvil, Saturukondan, Pannichaiyady and Pillaiyarady, including children and babies, and old men and women. According to reports, armed soldiers in uniform and some in civilian dress, went to these villages at about 5.30pm on 9 September 1990 and ordered all the residents to come out of their homes and gather on the road. Residents were threatened with death if they failed to obey this order. They were then taken towards the Boys Town army camp, Saturukondan. They have not been seen since, to Amnesty International's knowledge. A member of parliament for Batticaloa raised their cases in parliament in September. But by 9 October, when the Batticaloa Peace Committee submitted a list of the detainees to the authorities and requested information, their whereabouts remained unknown. In January 1991 Amnesty International heard from the relative of one family which 'disappeared' in this incident that the family still had not been traced or accounted for.

This particular round up was unusual in that relatively few of those taken were young men. In most lists of people reported to have 'disappeared' in the custody of the security forces, the names of men between the ages of about 14 and 45 tend to predominate. In this case, however, the names of many men and women over 60 years old are given, as well as the names of young mothers and their children.

The list consistently shows that whole families were taken away together from these villages, including mothers with their young children. Three examples are given here. Natkunasingam Sithradevi from Saturukondan, a mother in her twenties, is listed as having 'disappeared' together with her six-year-old son, Natkunasingam Sivatharsan, her three year old daughter, Natkunasingam Sivathasini, and her three or four month old baby son, Natkunasingam Venuraj. Another family which 'disappeared' consisted of the father, Moothavan Vairamuthu (aged 55 or 59); his 45 or 56 year old wife, Vairamuthu Poomani; their eight-year-old daughter, Vairamuthu Sharmila; and their six-year-old son, Vairamuthu Jothivadivel. Similarly, the young Soundrarajah (also reported as Sounthararasa) family were listed as having 'disappeared': Gopal Soundrarajah, the father, is 26 years old; Soundrarajah Thangeswary, the mother, is 24; their two daughters, Gayanthini and Priya, are two years old and eight months old respectively.

Elderly people are also listed among those who 'disappeared'. For example, 74-year-old Moothathamby Periyathamby and his 73-year-old wife, Periyathamby Ponnammah (also reported as being 75 and 73 years old respectively) are reported to have 'disappeared' from Saturukondan.

Amnesty International has no information about an independent investigation having been carried out into this incident. The Commanding Officer of the Boys Town army camp, Saturukondan, is said to have carried out his own investigations in the company of an independent person nominated by leading human rights activists in the area. The Ministry of Defence claims that the commanding officer and the independent person visited Saturukondan army camp around 2pm on 10 September 1990 and questioned people in the camp as well as villagers outside. The Ministry said they also inspected the ground inside and outside the perimeter of the camp but found no clues at all to indicate that any outsiders had been brought into the camp. It said it later found that about 40 to 60 villagers who were missing from Saturukondan had taken refuge in Batticaloa town.

In other cases, people who have reportedly 'disappeared' were abducted from buses. Jude Johnson, a 24-year-old student in Colombo, was travelling to his home in Kalmunai from Colombo on 11 June 1990. The night bus he was travelling on stopped at Amparai when the driver received news of the conflict which had broken out that day. Jude, a member of Sri Lanka's small Burgher community, is reported to have remained on the bus. He was seen being taken away by police. Inquiries made since then have not revealed his whereabouts, to Amnesty International's knowledge.

Others who 'disappeared' were reportedly arrested in their homes. John Master, the 45-year-old principal of the Methodist Mission School, Pottuvil, was detained by a police officer on 31 July 1990 at his brother's house in Pottuvil. His brother-in-law is said to be a member of the LTTE. John Master's family have been unable to trace his whereabouts or determine his fate, to Amnesty International's knowledge.

The bodies of some people who were taken away by security forces, and presumably killed in custody, have been found after and identified. For example, Krishnamurthi Coomarasamy, a 54-year-old business man, and his 23-year-old son, Krishnamurthi Ganbendraj, were reportedly taken away by the army and local Muslims in Batticaloa on 9 September 1990. Their bodies were found a week later.

> 'the troops, after fortifying their position by demolishing private houses, churches, schools and even Government buildings, began taking vendetta on the public, especially the youths, who were refugees at the places of worship and schools. Many hostages were taken from them. A good number of such persons are still unaccounted. Many decomposed bodies were subsequently found dumped in the ditches. Suruvil – a village in the Southern coastal belt of Kayts – where thousands of refugees are still flocked in schools, churches and private houses, is the only village that escaped the wrath of the Armed Forces so far.'

Amnesty International has received the names of 74 people who were reportedly killed in Kayts during this period, although the actual number killed may be higher. The organization does not have sufficient information to assess whether all those listed were victims of extrajudicial execu-

tion. In several cases, however, the available information does suggest that the victims were deliberately and unlawfully killed. For example, Marianayagam Elmo Manoranjan was reportedly hiding with other members of his family when passing soldiers found him and shot him dead in front of his relatives. Amnesty International has received two accounts of this killing, which give the victim's age as 14 or 17-years-old. One young man, Mahalingam Jeyamaran from Karampan East, Kayts, was reportedly taken from the bunker where he was hiding with his cousin. Soldiers slashed his neck with a knife and left him for dead, but he survived to describe what had happened to him.

Some of those rounded up by security forces are known to have been tortured and killed. Two brothers, Rasendran Ponnampalam and Meharasa Ponnampalam from Thangavelayuthapuram, Amparai District, were reportedly rounded up by the STF from the refugee camp at Vinayagapuram Tamil Vidyalayam on 26 September 1990 together with three other men. Meharasa was released; he had been beaten with an axe handle in detention. Rasendran's body was washed up from the sea; he had evidently been stabbed and beaten.

Others who were apparently killed in custody seem to have been singled out as a result of local disputes. For example, one woman in Batticaloa described to a visiting journalist how her husband, a businessman, and her only son were taken away by the army and local Muslims as LTTE suspects in September 1990. The bodies of the two men were found a week later. The woman said that her husband had been involved in a dispute over property with local Muslim businessmen who had now taken over her home, leaving her and her four daughters in a refugee camp.

Muslim home guards have also been cited as responsible for reprisal attacks on displaced Tamil people sheltering in refugee camps, after the LTTE had attacked Muslims in the area. One reported case occurred in August 1990, when tension between the LTTE and the Muslim community was escalating in the east. The security forces appear to have done little to intervene, or to prevent the attack taking place. The LTTE had reportedly knifed two Muslim farmers at Veeracholai. At 9.00am on 12 August 1990, according to a detailed report of the incident compiled from eye-witness accounts, Muslim home guards attacked the Veeramunai refugee camp, surrounding the temple and firing on the thousands of people gathered within. They then broke through the temple gates, and attacked people with reaping knives. Members of the security forces were seen in a vehicle only 300-500 yards away when the attack began. The vehicle was driven away about ten minutes later. A little over an hour after the attack began, STF personnel arrived at the camp and the attackers fled. Two, however, were caught by refugees and handed over to the STF. Most of the other attackers were reportedly identified by refugees. It is not known whether any action has been taken against them. Amnesty International does not know exactly how many people were killed in this attack. *The Sun*, Colombo, reported on 13 August 1990 that 'angry Muslims' had killed 21 refugees at Veeramunai and injured 40 after the LTTE had killed five Muslims in the area.

The ordeal was not over for the injured at Veeramunai even after they had been transported to Amparai hospital by the STF. According to reports, although security was provided at the hospital by the STF, one Muslim soldier who was posted at the hospital began to abuse and interfere with the treatment of the patients, and on several days removed patients from the hospital who were never seen again. One patient, Kanthakuddy, reportedly died after this soldier disconnected his saline drip. Another man, Nadarajah, who was at the hospital to look after his wife, was selected by this soldier to be driven off in a van, and was not seen again. The identity of this soldier is known. Amnesty International is not aware of any official action taken to investigate the incident.

On 12 June 1991 around noon, two soldiers were killed and one was wounded when the tractor in which they were travelling hit a landmine at Kokkadichcholai, Batticaloa District. In retaliation, one officer and sixteen soldiers from the local army camp apparently went on the rampage in the villages of Mahiladithivu and Muthalaikuda killing dozens of civilians, including women and children. Initially, local members of parliament claimed that over 150 civilians were killed. Seventeen villagers from Muthalaikuda, including a 16-year-old boy called Suthaharan, were reportedly taken to the place of the landmine explosion, made to circle around the crater three times and then shot. Their bodies were dumped in the crater and burnt. In Mahiladithivu, an estimated 50 villagers were killed, including several women and children, one only eight-months-old. Lankapuvath, the state-run national news agency initially reported that 52 civilians had been killed in crossfire during a clash between the LTTE and the army at Kokkadichcholai. President Premadasa, in a letter to one of the members of parliament from the area, reportedly expressed shock and sorrow at 'the gruesome killing of a large number of innocent civilians' and instituted a preliminary inquiry by three government officials. On the basis of the results of their findings, a commission of inquiry was established on 18 June.

The army is said to have conducted its own investigations, pending which the commanding officer in charge of Kokkadichcholai Army Camp was taken into custody at Batticaloa Army Camp and the sixteen soldiers were transferred.

The Commission of Inquiry was due to submit its report within three weeks. Public hearings were held at the Air Force headquarters at Batticaloa from 29 July till 1 August 1991. Further evidence was due to be heard at the time of writing.

7 ABUSES COMMITTED BY THE LIBERATION TIGERS OF TAMIL EELAM

Human rights abuses are also committed on a large scale by the main armed group opposed to the Sri Lanka government, the LTTE, which effectively controls large areas of the northeastern province. The LTTE has long held and administered nearly the whole of the Jaffna peninsula. After the gradual withdrawal of the IPKF in the period late 1989 – March 1990, the LTTE took control of the areas they had vacated. At that time, the organization was having talks with the Sri Lanka government. On the ground, Sri Lanka army personnel stationed in the area were confined to their barracks and police were operating in a restricted manner. The LTTE during this period resorted to widespread arbitrary arrest, incommunicado detention, torture, 'disappearances' and extrajudicial executions.

After the outbreak of fighting between the LTTE and the Sri Lanka security forces in June 1990, the monitoring of the human rights situation in areas controlled by the LTTE became particularly difficult. People fleeing the Jaffna peninsula expressed fear of reprisals if they were to provide information to Amnesty International about human rights violations by the LTTE. Amnesty International has not visited the areas said to be under control of the LTTE. During its trip to Sri Lanka, Amnesty International had the opportunity however to interview victims of abuses by the LTTE who were residing in other parts of the country. It has also interviewed people who have left the country. As with reports of government abuses deriving from opposition sources, Amnesty International has taken particular care in scrutinizing allegations made by opponents of the LTTE who may be seeking to damage the organization.

On the basis of the information gathered, Amnesty International is concerned at consistent reports that LTTE cadres, particularly in the Jaffna area, carry out arrests on various grounds, including people's alleged sympathies for rival Tamil groups or cooperation with them, sympathy or cooperation with the IPKF during their stay in Sri Lanka, suspicion of providing information to the security forces or refusal to pay contributions to the LTTE. Amnesty International has also received information about the arrest of people as a result of what appeared to be personal feuds (such as over land or marriage arrangements) and of people critical of the LTTE. A number of people, among them Muslim businessmen, were also detained for ransom.

(To be continued).

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Greetings From Jaffna

Who is our next killer?

Christmas is around again; but we in this North-Eastern region of Sri Lanka are unable to get into the joyful mood of Christmas. Perhaps, the first Christmas itself was not joyful! Was it? The sociopolitical environment and the circumstances in which Jesus was born were sad, hurting, fearful, and there was a dreadful uncertainty about the future of the new born Babe of Bethelehem, and the child's parents.

Here, in our North-Eastern region we are facing a similar situation, or even worse. There is an indepth sadness in us and all around us owing to thousands of deaths we have experienced (both Thamils and Sinhalese) during this prolonged brutal and bloody war (from 1983, and it's still continuing. . .!), and the immeasurable losses we have incurred (loss of houses, jobs, education, sources of income etc). The economic blockade to the North by the authorities is very hurting – physically, mentally, and spiritually. We are made to live like beggars surviving on what the mighty and the powerful (who themselves are fattening on aid!) throw at us. The way we are treated in this land of ours, and the way we are checked at the sentry points in Vavuniya (the buffer zone between the South and the North) is **dehumanizing.** The **uncertainty** of the next moment brings about a hopeless sense of fear and a pathological anxiety – especially when the bombers fly over our houses, and when the shelling is on from all sides of the peninsula.

Who is our next killer?

We live in fear not knowing – who is our next killer? Is it a Herod – the provincial king? Or, is it a Pilate from the Capital? Or, is it a Caesar - the foreign Emperor? Or, is it one of the local groups aspiring to be a Herod?

Our own have fled in thousands fearing the local Herods and the Pilates, and the economic strangulation of the region! We are reminded of the plight and flight of Joseph, Mary, and Jesus when they had to flee the wrath of Herod.

Isolated and Lonely

No shepherds have visited us yet, no kings have brought us gifts, and no High Priests have even passed us by! A few samaritan agencies are taking care of us – we who have been beaten, robbed and thrown into the ditches – the refugee camps. Yes, we are made refugees in our own land – and often not too far from our own houses! United Nations, European Council, and the Aid Consortium are all voices that we never hear, although **we like to hear.** We feel isolated from the rest of the world, although we yearn with an urgent sense of belonging **to be linked to the Sinhala community in the South,** and **to the world community at large.** Unfortunately, all communication systems, including the postal system are severed. By the way, the post offices do not have stamps, the gas stations do not have gas (petrol), the pharmacies do not have drugs, public and private transportation is stranded, the phones don't ring (for the last five years), the lights don't burn (no electricity for the last 18 months), the newspapers don't come, and we cannot even listen to our radios because batteries are not allowed to be brought in.

Our children have no toys to play with, no sweets to enjoy even during this festive season because these are contraband items. Our children are losing their childhood.

We will not have our Christmas cards, Christmas cakes, Christmas candles, Christmas trees, or Christmas gifts. It will be back to the first Christmas in a manger – in a refugee camp – in a war-torn area.

Will we have Christmas?

Won't Christ be born in this conflict and in this crisis? Our belief is: He will. Nay, He is already there, because **'God is already with us – Emmanuel'.** Since we are caught up in so many pressing external and internal issues, we are unable to recognize the God who is within us. At least, some of us have begun to recognize this reality and thus we are pretty 'close to Christmas!' We will discover the Messiah – our freedom and our peace – because some of us are trying to search for the meaning of this tremendous suffering. For the time being, our Hope is our Christmas.

God's story and our story

This is our story in brief. I am sure you have your own story to tell. Share with us, please. When your story and our story meet, we will discover God's story of salvation, and there we will experience our own story of redemption – freedom.

Until then, I wish you the joy and the peace of experiencing and discovering the Divine in you not only during this festive season, but right through the New Year 1992, and the years ahead.

– Rev. Fr. Anonymous –

Tigers Need New Direction

Orations may raise the passions of a community, and armed struggle in which violence plays the key role may have immediate gains, but in the long run these could also set in motion destructive forces that may eventually defeat the very ideals that may have inspired a movement.

The long drawn Tamil Tiger-Sri Lankan Government conflict with no solution in sight is extremely harmful to the interests of the island's Tamils, Muslims and the Sinhalese and continues to cause havoc to the progress of a country that ill-affords insane investment in arms merely to support violations of human rights. Why should Sri Lanka become the bloody market for some big powers and their arms-dealers who seek pits of violence to prosper in their evil and deadly trade?

Furthermore, the Liberation Tigers of Tamil Eelam would appear to have lost much of their credibility, and even their political ideology based on Marxism hooked to the concept that ends justify means, has lost its relevance. It is only the communal extremity of the Sinhala governments and the failure of the Tamil Congress and the Federal Party to face up to Sinhala-Buddhist chauvinism that made the Tigers a key factor. But they, committed to armed struggle, ruled the Tamil roost with extreme intolerance showing scant respect to the views of others. Sadly, they also make a habit of expressing their reactions and decisions with the trigger and the cyanide.

There was a time the Tigers were most deservedly acclaimed as heroes. The discipline that reigned supreme in their ranks, and their total commitment won for them the love and confidence of the people and thousands in the community opened their hearts and doors to them. Tiger leader Prabhakaran became a living legend and his leadership was inspirational to every Tamil.

He and his militants were seen as fearless champions of the cause with the courage and capacity to fight the very forces that for years had harmed the Tamils and insulted the dignity of a proud but passive community in no small measure.

Doubts have emerged as to the LTTE's political wisdom and their capacity to look after the interests of the Tamil people. Their commitment to 'Eelam' is so fundamentalist in character, they seem to be unmindful of the unprecedented hardships heaped upon their own people by their own actions, and more so by the actions of the security forces.

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The expulsion of the Muslims from the North is a tragic expression of Tiger intolerance towards a particular community that spoke Tamil but practised Islam as its faith.

This action militates against all decencies towards fellow human beings and even goes against the very principles of human rights which we must uphold at any cost. The Tamils cannot be guilty of human rights violations, if their claim for the protection of their own rights is to be credible.

The Tigers have also given a new meaning and dimension to the word, vassal, having appropriated for themselves the right to a number of administrative and revenue decisions in the districts where they hold sway. Their decisions over the affairs of the people, their properties and their movements cannot be challenged. Those who dare may suffer death by the firing squad and public executions have been reported. In effect, the Tamils in Tigerland have no choice, political or otherwise.

The Tamils missed the golden chance of achieving some form of regional autonomy when India succeeded in wrenching a major concession from the Sri Lankan Government. The Tigers showed that they lacked political acumen and shrewdness when they failed to seize an opportunity to put into political action their ideals for the liberation of the Tamils when an offer to set up a North-East Provincial Council was made. This would have, among other factors, given the regional recognition of traditional homeland as well.

It appears that politically, the Tigers have run out of creative ideas and have become hooked to a dream solution of theirs that they, and they alone, will dominate the political future of the Tamils even if this should mean rule by wielding the arms of terror. If this be so, the Tigers must liberate themselves from this political ideology before they think of liberating the Tamil people.

Also highly worrying is the factor that the Tigers may have been party to certain developments in India, including the assassination of Rajiv Gandhi. His assassination has been followed by a chain of events that have certainly not helped the Tamils nor their cause. Fully aware that India has been alienated from the Tamils, the Sri Lankan Government has confirmed massive military operations in the north confident in the belief that the Indian Government would not intervene as in the past. The Tamils need the goodwill and support of the people of India in no small measure and the Tigers have failed to appreciate this fact.

The Tigers get their succour by the denial by the Government of Sri Lanka of the legitimate rights of the Tamils, and only now some Sinhala leaders are awakening to the truth that it is the UNP and the SLFP that have, with their communal policies brought a beautiful island state into such a chaotic state. It was refreshing to note Opposition's Anura Bandaranaike acknowledging the failure of successive governments to address themselves to the rights of the Tamils and other minorities of Sri Lanka.

A recent Human Rights Watch report has made the following observations: 'Sri Lankan security personnel, government-linked vigilante groups, and members of the Liberation Tigers of Tamil Eelam continued in 1991 to engage in a pattern of gross violations of human rights and humanitarian law, including massacres of hundreds of civilians, torture, abductions and arbitrary arrests'. No wonder that the support for the Tamil cause has been gradually eroded internationally because of the Tigers whose actions are being compared and equated with those of the Sri Lankan security forces. If the Tamils are to regain support, then the Tigers have to change their behaviour and become more flexible both in seeking a solution to the conflict and in their approach to other sections of the community.

Croydon, England. **V. Sivaraman**

'Pure Tamil' Nationalism

Taraki in his article (*Tamil Times*, 15.12.91) on the LTTE's efforts to force pure Tamil nationalism refers to the pure-Tamil movement of the early 20th century, Dravidian linguistic and cultural identity, and the pre-Aryan Tamil culture. He attributes the development of the Dravidian (in reality Tamil) awareness to 'pro-British, non-Brahmin classes' (or castes?) of the Madras Presidency.

In the absence of a mass political movement, the dominant social classes play a salient role in social change, (this was the case in Sri Lanka where the Vellala (high caste) Tamil elite espoused the Tamil people's cause against Sinhala chauvinism). The opportunism of the elite classes does not negate the just causes they appear to represent.

Taraki sounds sceptical about the quality and content of the pre-Aryan culture of the Dravidians and chooses to describe it as war-like. He uses the anthology *Puranaanooru*, which is a collection of 400 poems on themes relating to war, as evidence to make his point, ignoring the fact that it is one of eight anthologies of the early *Sankam* period of Tamil, and that the other seven deal with wider aspects of Tamil life in that period. If *Puranaanooru* is evidence that the Tamil culture of that period was bloody and martial, what conclusions would Taraki draw from the fact that much of Hindu mythology extols war (against the asuras mostly) and that nearly all the Gods were slayers of demons. The two major epics of India have wars at their core. It is dangerous to oversimplify and even more so to generalise out of context.

A section of the Brahmins did dominate social life in what is Tamil Nadu today, and did so under British patronage. They managed to propagate the myth of Indo-Aryan supremacy and justify the caste system based on the four *Varnas*, so much so that C. Rajagopalachari claimed, as recently as the 1950s, that Sanskrit was the source of all Indian languages. The challenge to the negative aspects of the Brahminic religion had political dimensions besides those perceived by non-Brahmin elite, and Taraki had chosen to ignore them.

The pure-Tamil approach was somewhat subjective in its approach and ignored the mechanism of language development. It also avoided facing the problems relating to modernisation of Tamil by claiming some form of self-sufficiency in the pure-Tamil tradition, and by persisting in its efforts to preserve the language from corruption by Sanskrit and the threat of Hindi, ignored the more serious threat of Anglicisation. One cannot, nevertheless, deny that the pure-Tamil movement was responsible for the recognition of the simplicity of the language, the development of the Tamil language on the basis of what formed the core and essence of the language, and the revival of a large number of Tamil words which were supplanted by Sanskrit words under Brahminic influence.

If the purpose of Taraki's article was to expose the opportunism of the DMK and the LTTE in reviving the images of *Puranaanooru* to serve their short-sighted schemes, he needs to do it with greater sensitivity and awareness of history.

S. Sivasegaram

London SW20.

Pongal Greetings to Our Readers

Continued from page 10

Mr. Thondaman's proposals too are within this discourse of devolution; being in the nature of tentative proposals, one is free to argue on their content.

What dismays us, however, is the outright rejection of the notion of a political settlement that underlies most Sinhala reaction to the proposals. It is argued that it is the duty of the state, as the instrument of Sinhala hegemony, to pursue the war against the LTTE with the greatest possible vigour and to defeat them militarily; the present conjuncture of events in Sri Lanka and India is said to be most propitious for the success of such an undertaking. It is also argued that one can talk about political arrangements at that stage; all this means is that in such an eventuality, the Tamil people will have no option but to accept, with seeming gratitude, whatever crumbs of power are thrown to them.

This is also to misunderstand totally the nature of the ethnic conflict, which is a struggle for a degree of political power that would enable the Tamil people to ensure their security and their reproduction as a coherent cultural community in the areas they inhabit. It is only such a political arrangement that can resolve this issue, not the military defeat of one group even though it may have won temporary dominance within the Tamil polity.

We do not agree with all Mr. Thondaman's proposals nor with his apparent rejection of all other Tamil political groupings; we however believe that it is cast within the only possible framework for a resolution of the ethnic conflict. It needs to be discussed only in this light.

The Sinhala people need to be most vigilant now; they must not allow themselves to be misled by chauvinist appeals that seek to play upon mythic notions of national and religious hegemony; they must remember and reflect upon the tragic history of this country over the past decade, the destruction of thousands of young lives pursuing illusions of national identity and patriotism; they must think, most importantly, that this conflict has been the cover under which their cherished democratic rights have been snatched away. If chauvinist appeals do succeed, then the prospects of a united, democratic and peaceful Sri Lanka recede into the distance.

In this context, we find the virtual silence of the major political parties most alarming and ominous. All political parties have a duty to stand firm on the necessity of a political solution, though they may disagree on its substance. To waver on this question or to wait opportunistically to see which way the winds of nationalist fervour will blow will be to betray their guiding role. We therefore call upon all political parties and groups to reafirm their commitment to a political solution.

Finally, we come to the role of the government. The President has on numerous occasions expressed his commitment to the notion of a multi-ethnic society; this is very welcome, but he has so far not taken the plunge and announced his own proposals to settle the problem. He calls upon assorted and nebulous groups such as the youth to come forward with their own solutions; he waits for the APC or the Select Committee to come up with consensus decisions. This will not do; consensus on this question is not likely to emerge by such a process, as has been shown by past experience. We believe that the time has now come for the government to take the initiative in formulating a political settlement and offering it for the consideration of the Tamil people; he must also take the necessary steps to restore confidence among the Tamil people in the possibilities of the democratic process.'

Continued from page 7

in these debates. It is very important that the human rights factor be given its due place in all these discussions. Whatever the mode of government (the present or a revised Executive Presidency, the old or a revised 'Westminster System'), whatever the model of devolution, certain fundamental rights must be made non negotiable, and must be enforceable throughout the country. There must also be provisions to challenge legislative or administrative acts by the administration of a devolved unit if they transgress fundamental rights. Devolution must mean more, not less, democracy; it must mean enhanced, not weakened, protection of fundamental rights. An aggrieved person may be required to seek his remedy initially within the judicial machinery of the devolved unit, but in the last resort, a remedy must be available at central level, ie. by a Supreme Court or other such body which is drawn from and which serves the whole country.

In order to make this acceptable to the devolved units, it is essential that the central government itself makes its own actions in the area of human rights reviewable. All legislation must be reviewable by the courts to see if it is consistent with the Constitution, not merely as now at the Bill stage. The Government must sign the Optional Protocol to the International Convenant of Civil and Political Rights, and other like instruments which enable an individual who claims his fundamental rights are infringed to appeal to an international tribunal *as a last resort*. And, of course, the fundamental rights provisions in the Constitution must be amended to bring them into line with our obligations under the International Covenant on Civil and Political Rights.

Our duty to do this was forcefully and repeatedly stressed to the representative of our Government who appeared before the UN Human Rights Committee this year.

These steps should be taken by the Sri Lankan government for the benefit of its inhabitants even if there was no ethnic problem or question of devolution. But it is all the more essential to do it as part of any 'devolution package'. The Centre must be able to say to the devolved units: 'Retaining ultimate control over human rights questions is not incompatible with devolution, is not an unreasonable limitation of your autonomy. Look, we too are making our laws and actions subject to review outside our territory.' And the Centre will be able to go further and say to the inhabitants of the devolved unit: 'You too, in the last resort, will have access to an international tribunal if you remained dissatisfied after going through the provincial courts and the national system.'

Attempts should be made to get all 'sides' to the conflict to see the advantages to themselves of this approach. Therefore it should be campaigned for not only among the government, 'dissidents' the traditional opposition parties, the sectors of public opinion in the South, but also among the Tamil militants, including the LTTE, and the civilian population in the North and East. The State should offer it as an expression of good faith and a reassurance against the centre acting oppressively; the militants should see it as a vital concession obtained in agreeing to accept a solution less than Eelam. People of all ethnic groups and all political persuasions will welcome it as a guarantee of their fundamental rights against transgression by any government authority, be it central, provincial or district, present or future.

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London Tamils Support Peace Efforts

The London-based Standing Committee of Tamil Speaking People (SCOT) has come out strongly in favour of a negotiated political solution to the ethnic conflict in Sri Lanka. Reputed to comprise a cross-section of expatriate Tamil community, SCOT has urged a cessation of hostilities and welcomed cabinet minister S. Thondaman's recent proposals as positive and as forming a basis for negotiations between the government and the LTTE in the first instance, and among all other concerned parties later.

The text of the statement unanimously adopted recently by SCOT is as follows:

'The continued fighting between government forces and the LTTE has brought incalculable hardship, death and destruction to the people of the northeast of Sri Lanka. The indiscriminate bombing, strafing and shelling in the north have not only resulted in the destruction of thousands of properties – homes, shops, schools, hospitals, temples, churches and other private and public buildings – but also have left thousands dead and injured.

Thousands of people have 'disappeared' or been arbitrarily killed particularly in eastern Sri Lanka. All transport and communications to the north have been totally disrupted. Normal social and economic activity have become a thing of the past. The ban on the transport of goods essential to the life of the community, including food, medicine and fuel, has imposed severe hardship and unendurable suffering to the people.

We recall that soon after the war broke out we declared that the continuation of the war posed a grave peril to the Tamil speaking people, and we are sad to say that we have been vindicated.

Since June 1990, an estimated one million people have been displaced from their homes and have become refugees. All internationally accepted norms of human rights and humanitarian law have been flagrantly violated in the conduct of this ongoing "war". It is the defenceless innocent civilian population which has suffered from the horrors of this conflict.

The "war" which was declared by both sides as a fight to the finish has continued to this day without any sign of abating. On the contrary, the fighting has intensified day by day with further suffering, loss of life and property on an unprecedented scale. Besides, a substantial portion of the meagre resources of the country have been wantonly wasted in prosecuting this costly war.

It is in this context that the peace moves made by cabinet minister Hon. Mr. S. Thondaman are to be welcomed. He has put forward a set of proposals which can be regarded as positive and as forming a basis for negotiations between the government and the LTTE in the first instance, and among all other concerned parties later. Mr. Thondaman has declared his intention to travel to Jaffna to meet the LTTE leaders who in turn have expressed their willingness to discuss the matter.

There is, however, an orchestrated campaign by certain extremist forces in the country to sabotage all peace efforts. It must be recalled that these are the elements that created the problem in the first place by seeking to deny the legitimate rights of the Tamil speaking people. By their intransigent and intolerant attitude and actions, they have always been instrumental in preventing any negotiated political solution to the ethnic conflict. Having remained relatively dormant in the recent past, they are making a comeback which is unwelcome and dangerous in that they are again fanning the flames of communal passion and hatred by a campaign of deliberately distorting Mr. Thondaman's peace proposals, and thereby mislead and incite the people. They stand condemned as the enemies of restoring peace and harmony in the country.

President Premadasa has consistently professed to bring about a truly multi-ethnic and multi-religious society, and repeatedly announced his readiness to negotiate and reach a solution on the basis of "co-operation, conciliation and consensus'. He must have the courage of his professed convictions not to be diverted or pressurised by the machinations of the enemies of restoring peace and harmony, and support any constructive peace effort that may bring an end to the horrors of the present "war".

We strongly believe that the present peace efforts offer a realistic opportunity to achieve the peace much desired by the vast majority of the people. We call upon all those who are concerned with restoring peace with justice to support any constructive effort to bring an end to this war and commence the process of negotiation.'

In another resolution, SCOT stated:

1. Calls upon the government to immediately halt aerial bombardment and strafing;

2. Calls upon the government to forthwith lift the ban on the transport of commodities and supplies essential to the life of the community in the northeast;

3. Calls upon the government and the LTTE to enter into a cease-fire and enter into negotiations to bring an end to the fighting and to evolve a political settlement which recognises people's legitimate aspirations and their individual and collective rights;

4. Calls upon the warring parties to observe internationally recognised humanitarian and human rights norms in the conduct of the war;

5. Calls upon the government and the LTTE not to infringe the people's normal human and democratic rights, and release all those who are kept in detention.

Former DMK Minister and Husband in Custody

In its first major action after its constitution, the Tamil Nadu Special Investigation Team (TANSIT) today arrested the former DMK Minister, Mrs. Subbulakshmi Jagadeesan and her husband, at their Erode residence and charged them under the Terrorists and Disruptive Activities (Prevention) Act (TADA).

The Jagadeesans have been accused of involvement in the Padmanabha and EPRLF cadre murder case of June 1990 and charged with wilfully aiding, assisting and harbouring LTTE cadres.

With these arrests 29 persons have been taken into custody by the State police agencies in connection with the brutal killing of Padmanabha, leader of the rival Sri Lankan Tamil militant outfit EPRLF in Madras.

Vasanthan alias Vasanthkumar, an LTTE activist who was detained in October 1991, had allegedly confessed to the 'Q' Branch of the Tamil Nadu police (handling the case till the creation of TANSIT) that he and Gundu Santhan, who committed suicide when trapped in Tiruchi a few months ago, had stayed at the residence of the Jagadeesans for over a month.

Santhan and Vasanthan were allegedly harboured by the former Minister at her Bhavani house in September-October 1991 – well after Rajiv Gandhi's assassination and the launching of the drive against the LTTE. Sivathan, another LTTE activist had also been given shelter by the former Minister.

Link established

Preliminary investigations have reportedly established a 'link' between Kandasawami of DK Transports in Mettu, his son Dhanasekar alias Raju, Gundu Santhan and Vasanthan and the former Minister, Kandaswami and Dhanasekar are already under arrest in connection with the Rajiv Gandhi case.

It is alleged that the two militants were first put up at the house of Mrs. Subbulakshmi Jagadeesan's sister.

– The Hindu.

THE SUB-CONTINENTAL SCENE

by Sujit Segar

★ River Swirls into Violence

Ramakrishna Hegde, the former Chief Minister of Karnataka in a review of recent events said that 'India presents today a most depressing spectacle which makes a person even with robust optimism feel despondent about its future'.

He added: 'Two decades of bad politics and short-sighted policies have brought the country to an impasse, a country which once represented the hopes and aspirations of the whole developing world and was expected to become a leader in the comity of nations.'

In the same comment which appeared in *India Abroad* (10.1.1992) he stated that India which was built during the first two decades after Independence as a strong nation today stands precariously on the brink of disintegration and emphasised: 'This is certainly not the India of Mahatma Gandhi's dream, nor the India of Jawaharlal Nehru's vision.'

Last month's violence across the Tamilnadu-Karnataka borders adds much credence to Mr. Hegde's concern. Attack on Tamil settlements in Karnataka followed the call by the state government to defy the ruling by New Delhi that it must allow more Cauvery water to flow into the farmlands of Tamilnadu. A strike action led swirling mobs to attack Tamils in Karnataka and their property. Several people perished in this outrage and according to a report 60,000 Tamils have fled to Tamilnadu and the State of Kerala.

This violent expression of intolerance on the Tamils were countered with attacks on the Kanarese in Tamilnadu and at least a thousand families have fled to Karnataka. Rioters even attacked a Tamilnadu police station where some trucks with Karnataka number plates were parked. On Boxing Day, New Delhi sent 600 paramilitary troops to Karnataka when the situation became explosive.

Commenting on the tragic turn of events, Home Minister, S.B. Chavan described the migration of people between Karnataka and Tamilnadu as serious and added that it was unfortunate that emotions have been whipped up to an extent that the people are feeling insecure and migrating.

Tamilnadu's Chief Minister, Jayalalitha has expressed her reaction to the Indian Prime Minister, P.V. Narasimha Rao in no uncertain terms. She told him that there could be no discussions with Chief Minister Bangarappa of Karnataka across the table on the Cauvery waters issue in view of the violence against the Tamils.

Where has India's dream gone asks Ramakrishna Hegde in his comment. 'Gandhiji sacrificed his life for the sake of communal harmony. In his India there is no place for violence, there are no untouchables, ends do not justify means, economy is decentralized making every village community strong and self-reliant and no big expenditure on defence.'

Among many questions he has posed to his fellow citizens and friends of India, he also asks: 'Why has terrorism unknown in the country, paralyzed the governments in several states?'

★ Dal's Fading Visions

The Janata Dal which during the latter 1980s had visions of a centrist alternative to the Congress and promised the people of India 'a critical and informed perspective on what ought to be the national agenda', has now fallen a victim to factionalism. Its visions are certainly fading.

The realistic position towards which the Dal is rushing head-on today absorbed as it is with a great deal of internal and petty bickerings, appears to be that of a regional entity rather than a nationwide political movement that promised to be at the vanguard of the struggle for social and economic justice in India with emphasis on true democracy and pluralism.

Even though the recent break-up of the Janata Dal in the State of Uttar Pradesh may be a contributory factor in the problems that have come to beset it, the threats to its very survival are caused largely by petty differences among its leaders and quarrels on issues that are too narrow for a national political entity.

Furthermore, the Janata Dal Government under the leadership of Mr. V.P. Singh, despite his charisma, failed to live up to the visions he had promised for India. The Dal's administration has been accused of implementing policies that 'set in motion processes that were regressive for India's development'. It has also been observed that even after the General Elections, Mr. Singh lost the opportunity to reorganise the party's strategy and rekindle the idealism that captured the hearts, hopes and imagination of the Indian people who were concerned about the country's failure to evolve for itself the ideal of a real multi-party democracy at the national level.

Today, the Janata Dal despite events in Uttar Pradesh holds its own in Bihar and has the potential to recreate itself as a major force in the neighbouring states as well because there is always a hope for institutions that keep their distances from those that appeal to gut and emotional issues based on narrow sentiments and fundamentalism. In this respect, the Janata Dal has a call that beckons it to national duty. It cannot answer this call with its thumb on the self-destruct button.

★ Fear is The Key

A small band of extremely violent militants have caused tragic consequences to the ways and lives of people of one of India's magnificent cities. Political violence that spoke the language of liberation has now given way to rampaging crooks, swindlers and common criminals in the great city of Chandigarh in Punjab.

Property owners are being eased out of their possessions and taken over by elements who use 'fear' as their weapons. They resort to means most despicable. This fear of violence which has become endemic to this city, is also making people to sell off their properties on their own as well at ridiculously low prices and move elsewhere.

There is now a serious law and order problem in Chandigarh and this enables a large number of swindlers to worm themselves into activities that add to the miseries of the law-abiding people of the city. In a recent case, a swindler was known to have built up a record over an year to claim tenancy to a property where he had never even stepped foot. The owner became aware of the claim only when this swindler tried to 'negotiate' purchase of his property offering a tenth of its market price. He was told plainly that the alternative would be his forced occupation as a tenant.

A number of politicians and police personnel are believed to be involved in this racket as well. Certain police officers, in fact a number of them, have 'picked up disputed prime property at low prices'. An Akalai politician and his son, according to *The Hindu,* are now actively involved in picking up properties 'at shockingly low prices, getting them vacated, and then selling them at the market price'.

In one such case, they bought a four-floor shopping-cum-office complex for Rs. 6 lakhs and now wish to sell it at ten times its value or offer it at Rs.60,000 a month rental.

Reacting to this growing violent militant cancer in Chandigarh a bookseller whose shop was 'negotiated' out

Continued on page 23

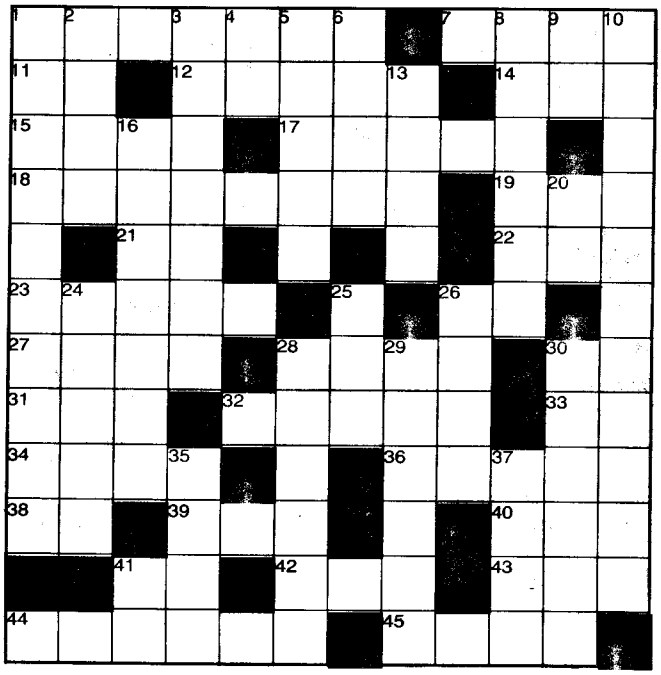
Closing date for completed grid and coupon to be received is 29 February 1992.

Answers and the name of the winner – first all correct entry pulled out of a bag – will be announced in the March 1992 issue.

The winner will receive a prize of £20.00 sterling.

All entries should be sent to: Tamil Times, P.O. Box 121, Sutton, Surrey SM1 3TD, UK.

QUIZ CROSSWORDS – No. 12. Compiled by: Richards



Across.

1. South-Asian capital of a state bedevilled by violent ethnic problems (7)
7. Scandinavian capital, home for a number of Tamil refugees (4)
11. A mystic syllable of the most sacred mantra in Hinduism (2)
12. Baby 4-wheelers invented in the mid-19th century (5)
14. The king variety is a product of Jaffna's red soil region (3)
15. Meaty matter popularly used in sandwiches (4)
17. Located (5)
18. This extent of Sri Lanka's communal problems is yet to be appreciated by the world community (8)
19. . . . and not either (3)
21. The sun-god in Egyptian mythology (2)
22. An endangered member of the deer family facing total extinction in Sri Lanka from jungle warfare (3)
23. Shouts of scorn (5)
26. Adjective that indicates belonging (2)
27. Mother of Virgin Mary whose feast day is observed with special devotion in Canada (4)
28. A layabout's preoccupation (4)
30. A further qualification beyond a degree in arts (2)
31. Obtain (3)
32. Popular public facility from the time of ancient Rome (5)
33. Two-toed sloth of the Amazon jungles (2)
34. When these of some individuals are boosted beyond reason they could cause annoying problems to others (4)
36. Such elements are thorns anywhere (5)
38. Chemical symbol for sodium (2)
39. Finish (3)
40. West European political movement hooked to violence (3)
41. Father affectionately usually in the US (2)
42. First deputy to a Station Master in the Sri Lankan railways (3)
43. This engineering feat of some 50 years ago created the Senanayake Samudra in Sri Lanka's Eastern Province (3)
44. A Tamil refuge city in Germany (6)
45. One who does this to his farm awaits his fruits in plenty (4)

Down:

1. European port city much loved by children through the stories of Hans Christian Andersen where many displaced Tamils have found a safe home from threats to their lives in Sri Lanka (10)
2. Muscat is the capital of this South-west Asian city (4)
3. In action or to produce an effect (7)
4. Mister in short (2)
5. A starting point or something of fundamental importance (5)
6. Exclude (4)
8. Australia's most popular cosmopolitan city where Tamils have also found another home for themselves (6)
9. Popularly, second largest US city (2)
10. Persian poet, mathematician and astronomer (4, 7)
13. In Greek mythology, the river over which Charon ferried the souls of the dead (4)
16. Often referred to as the Wellawatte of North America by Sri Lankans, this city has virtually enshrined human rights as sacred (7)
20. Lower GCE in popular usage (2)
24. Europe's second largest lake on the borders of Finland (5)
25. On equal footing (3)
26. Informal note or message (4)
28. Political decisions made in this city preparing Sri Lanka for independence failed to ensure that the interests of the Tamils were protected (6)
29. Tamils in danger of their lives in Sri Lanka have also found a home in this lake city of the Alpine region (3)
30. Citadel of Tamil 'Filmdom' (6)
35. A gesture of approval or guarantee (4)
37. Certainly not narrow (4)
41. Public Relations, abb. (2)

Quiz Crosswords – 10: Solutions.

Across: 1. Adityas. 7. Vach. 11. Soma. 12. Shashti. 13. AM. 14. He. 15. Ragi. 17. Simla. 19. Anon. 20. Cos. 21. SA. 22. Ganga. 24. Ala. 26. Lo. 28. Sir. 29. Ay. 30. Gowri. 33. Garuda. 36. Ogham. 37. Abuse. 38. Pu. 39. DP. 40. Danu. 42. ie. 45. Karttikeya.

Down: 1. Asuras. 2. Do. 3. Imago. 4. Taming. 5. Ashvins. 6. She. 7. Vs. 8. Ahimsa. 9. CT. 10. Himalaya. 16. Analogue. 17. Scarab. 18. Io. 23. Gigas. 25. Laden. 27. Owh. 30. Gopis. 31. Radha. 32. Imp. 34. Rud. 35. Usage. 41. Uma. 43. ET. 44. Pi.

No winner.

Continued from page 22

of his hands said: 'You see, people like us can stand up for our rights only up to a point. We can take on thugs, but fighting the militants or those considered close to them is certainly not our cup of tea'.

A large number of Punjabi Hindus through sheer fear have moved to townships in the neighbouring city of Haryana and this in turn has caused prices to soar up causing further problems to people who escaped from militant violence in Chandigarh. When a generation of young people have been brought up in violence, law and order has to fail.

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Continued from page 5

sabhas. This shall be composed of Muslim members of the provincial council and chairmen of the pradeshiya sabhas. On the unit of autonomy, it says that 'within the unbifurcated North-East Province, Pradeshiya Sabhas with a substantial Muslim majority shall form a Union of Pradeshiya Sabhas. This Union shall be the unit to which authority will be devolved.'

The union can administer, control and utilise state lands within the pradeshiya sabhas. More important, it adds that Muslims of the North-Eastern Province shall have the right to state land in any part of the province.

The CWC is keen that there should be safeguards for the Sinhalese minority in the province. It affirms that 'the right of the Sinhalese from any part of Sri Lanka to own property anywhere in the North-East Province shall remain unfettered.' Alienation of state land shall be according to the provincial ethnic ratio. There should be a Sinhalese DIG for the province, it says.

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MATRIMONIAL

Jaffna Hindu parents, *seek suitable partner for only daughter, 32, M.Sc., Ph.D., lecturer in Sri Lankan University. Send details. M 547 c/o Tamil Times.*

Brother *seeks groom for attractive sister, 30, Jaffna University physical science graduate. Send horoscope, details. M 548 c/o Tamil Times.*

Uncle in England *seeks doctor or chartered accountant, possible become American citizen for American citizen niece, Jaffna Tamil, age 24 plus. M 549 c/o Tamil Times.*

Jaffna Hindu parents *seek partner for daughter, 23, British citizen in good employment in London. Send horoscope, details. M 550 c/o Tamil Times.*

Jaffna Hindu *seeks bride for his part qualified accountant brother, 30, employed in London. Send horoscope, details. M 551 c/o Tamil Times.*

Jaffna Hindu parents *seek professionally qualified bride from good family background for son, 32, tall, handsome, permanent resident in a north European country. Send horoscope, details. M 552 c/o Tamil Times.*

Jaffna Hindu parents *seek professional groom, 32-37, for doctor daughter in London. M 553 c/o Tamil Times.*

Jaffna Hindu parents *seek qalified partner for B. Comp. Sc. (U.K.) trained daughter, 28, now employed in Melbourne. Write with horoscope to P.O. Box 0110, Singapore 9143.*

Jaffna Hindu mother, *Australian resident, seeks fair, attractive, preferably qualified partner for son, 39, fair, handsome, completed Ph.D. in USA. Send details M 555 c/o Tamil Times.*

Hindu Tamil parents, *citizens Papua New Guinea, seek attractive, qualified bride, preferably Australian resident, for son, medical doctor, 31, 5' 8", working at Port Moresby. Send horoscope details. M 556 c/o Tamil Times.*

WEDDING BELLS

We congratulate the following couple on their recent wedding.

Dr. Sivabal, *son of Dr. & Mrs. K. Sivaloganathan of 18 Eaton Avenue, New Malden, Surrey, U.K., and Sumathi daughter of Mr. & Mrs. N. Nadarajah of 5947 Ladyburn Crescent, Mississauga, Ontario, Canada on 27.12.91 at South Common Community Centre, Mississauga, Ontario, Canada.*

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OBITUARIES

Ponnaiyah – Theodore Manoharajah, *beloved husband of Ivy (nee Joseph), loving father of Priya, Prabha and Sulochana; father-in-law of Arjunan, Santhirasenan and James Warren (all of U.K.) passed away peacefully at Hammersmith Hospital, West London on November 19th, 1991, after a brief illness. Funeral took place on December 2nd 1991. Sadly missed by all his loved ones and friends. – 2 Thames Avenue, Perivale, Middlesex UB6 8JN, U.K.*

Mrs. Sellam Vaithilingam *wife of the late Mr. P. Vaithilingam and beloved mother of the late Messrs. Visuvalingam and P.V. Nadarajah, Kandiah (Toronto, Canada) and Ganeshanathan (Wellington, New Zealand) passed away in Alaveddi, Sri Lanka on 22nd November 1991 after a brief illness – 31 Taylor Terrace, Tawa, Wellington, New Zealand.*

Sarathadevi *wife of the late T. Selvadurai, Attorney-at-law and Notary Public, Colombo, mother of Prof. Narendran (Texas University, USA), Subaschandran (Sri Lanka), Aravindan (Solicitor, U.K.), Bharathy Rajah (Birmingham, U.K.) and Sarathchandran (U.K.); mother-in-law of Ruth Narendran (USA), Renuka Aravindan (Solicitor, U.K.) and Dr. Ranjit Rajah (U.K.); grandmother of Sabeetha, Ramesh, Mathan, Shylesh Kumaran, Nirojan and Bipooshan passed away in Chunnakam; Sri Lanka on 5.1.1992. – 125 Kempton Road, East Ham, London E6 2NF. Tel: 081 552 7486.*

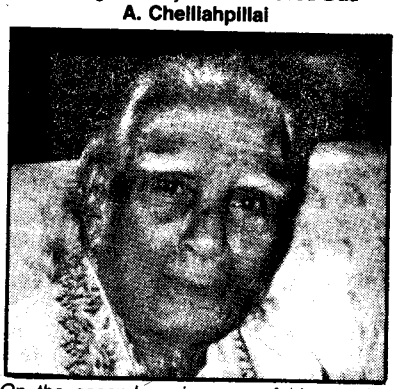
Sabapathy Ponnampalam, *F.C.M.A. (60) of Kalvalai, Sandilipay, Sri Lanka; Financial director of Flamecraft Ltd., London (formerly Chief Accountant, F.C.D.A., Nigeria; Gazetted Officer of Ministry of Co-operatives and Small Industries, Sri Lanka); beloved husband of Kamaladevi; father of Sivaganathan, Adagasoundary, Panumathi, Vadivalaghambigai, Vachchiravetkumaran, Linkeshwaran and Narasinkan; father-in-law of M. Rohini, R. Satkunanthan, B. Buvanendra and G. Jeyaraj; grand father of Shamica, Selvi, Rham and Rathi (all of U.K.); brother of Santhiraserkaram (Srilanka) passed away after a heart attack on 17.12.91 and was cremated at West London Crematorium on 19.12.91. Sadly missed by all his loved ones and friends. – Flat 3, 280/286 High Street, Willesden, London NW10 2SY, Tel. 081 451 4023.*

IN MEMORIAM

In loving memory of **Mr. V.T. Ratnam,** *News Editor, Dinapathy and Journalist, Lake House, Sri Lanka, on the second anniversary of his passing away on 20.1.90.*

Sadly missed and fondly remembered by his wife Maheswari; children Shanthikumar (Australia), Rajkumar, Senthilkumar (both of Toronto) and Suganthy (New Delhi); daughters-in-law Jeya, Vasanthy and Viji; son-in-law Asokan; mother Mrs. Thambiappah (Kandermadam, Sri Lanka); sisters Maheswari, Thanaluxmy (Kokuvil, Sri Lanka), Sarathadevi (St. Anthony's, Colombo); brothers Balasingham (Hatton, Sri Lanka), Vijeyakumar (Sheraton, Tasmania), Krishnakumar (ROP, Oman) and Shanthakumar (Athena, Toronto) – Apt. 409, 3345 Sheppard Avenue East, Scarborough, Ontario, Canada. Tel: (416) 754-2182.

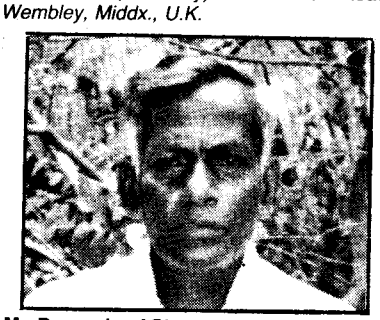
In loving memory of our beloved Dad
A. Chelliahpillai



On the second anniversary of his passing away on 24.01.90.

Though the years may pass without you
Memories of you never fade away
Your love and kindness showered on us
Shall always be cherished by us.

Mr. A. Chelliahpillai, Merchant, Ratnapura, Sri Lanka was the son of the late Mr. & Mrs. S. Arunachalam (Pungudutivu, Sri Lanka); son-in-law of Mr. & Mrs. Sinniah (Pungudutivu); beloved husband of the late Mrs. Packiam Chelliah; dear father of Mrs. Parameswary Kandiah (Sri Lanka), Mrs. Thanaluxmy Nagendram (Germany), Mrs. Kamalambigai Vasudevan, Mrs. Kamalasany Sivapatham (both of U.K.), Mrs. Masilamany Rajalingam (Sri Lanka), Pushparajalingam (France) and Punniyalingam (U.K.); father-in-law of P. Kandiah, T. Nagendran, S. Vasudevan (Fleet Food & Wines Ltd, U.K.), S. Sivapatham, K. Rajalingam (Pakeerathan Stores, Jaffna), P. Pathminidevy & P. Meenakumary; grandfather of Balakrishnan (U.K.), Kalanithy Sabanathan (Bharain), late Arunthavanithy, Karunakaran, Kirupanithy (both of Germany), Thevaginy, Sivaginy, Sivatharshini (all of U.K.), Sivamainthan (Germany), Shayeemainthan, Kunrakkumaran, Koneshakumaran (all of U.K.), Rajapakeerathan (France), Valarmathy, Vanmathy (both of U.K.), Marie, Jegan, Johnson, Shantha (all of France), Shinthiya & Arjun (both of U.K.), great grand father of Birendran, Warendran (both of U.K.), Thanuja, Thatshika (both of Bharain) and Sankeethan (Germany) – 22 Turton Road, Wembley, Middx., U.K.



Mr. Ponnudurai Sivasooriar, *Retired Station Master, Sri Lanka. In loving memory on the first anniversary of his passing away on 18.1.91. Your love and kindness shall always be cherished and treasured by us. Sadly missed and fondly remembered by his wife Gnanampal; children Mahendrarajah, Jeyendran, Sivanithy, Balendran, Selvanithy and Kulendran; sons-in-law Nagendra and Thirumoolan; daughters-in-law Sarva-Usha, Shanthiny and Usha; grand children Arshetha, Piragath, Anuja, Geevanath, Rathan and Reshmi – 40 Pasquier Road, London E17 6HB. Tel. 081 523 3608.*

An Appreciation
Dr.Edward Ratnasingam Appathurai

For mortals there is only one sure thing in life, and that is death. Death always leaves a void. A sudden death is shattering, incomprehensible, devastating – the list is ad infinitum. 'Why? Oh Why?', is the big unanswered question.

Edward had a heart attack whilst working in the afternoon, on Wednesday, 18 December 1991, from his home in Willowdale, Ontario, Canada. The attack was short and decisive. He was a Ceylonese diplomat, and served in Cairo, Bonn, New Delhi and Moscow. He came to Canada in 1962, and obtained his doctorate from Trinity College, University of Toronto. For nearly two decades, he had been Professor of Political Science at Glendon College, York University in Canada. When he was Chairman of his department, he co-ordinated the International Studies programme. He was also a scholar, whose research was on the United Nations Missions, both in Geneva and New York. His book, 'The Permanent Missions of the United Nations', was published in French.

No matter where he went, he was at heart a true Jaffna Man. High thinking and simple living was his norm. He was versatile, and could speak with authority on many subjects. It was an intellectual repast, just listening to him. He could mix, as easily with the younger generation, as he would with his own. It was his constant smile – almost like the Cheshire Cat – that spelt a happy and contented disposition. It worked like a magnet, drawing people to him. He was a man of temperate habits. I could go on and on. In a nutshell, Edward was a gentleman. He was that to his finger tips. We will miss our many get-togethers, come Spring, Summer, Fall or Winter. We will remember your smile. Keep smiling Edward. We will try to smile too.

Home and family was his passion. Words are sometimes inadequate to comfort the bereaved. He leaves behind his wife Carol, whom he met during his post-graduate and her undergraduate years; his daughter Ranee (Mrs. Benoit Saville); his son James, who is a graduate student; and last but not the least his daughter Anne, an undergraduate student.

He went having become a Senior Citizen, a status he was looking forward to.

Requiescat In pace.

Bertha Swarnamanie Nallanayagam.

FORTHCOMING EVENTS

February 1st *5.00pm* **West London Tamil School** *celebrates* **Thyagarajah Festival** *in Alperton High School Hall, Stanley Avenue, Wembley, Middx. All local musicians are expected to take part. Admission Free.*

Feb. 3 *Amavasai.*

Feb. 7 *Chathurthi.*

Feb. 15 *6.00pm* **Brent Asian Academy** *presents* **Valentine's Night Dinner & Disco** *at Alperton High School Annexe, Ealing Road, Alperton, Middx. For details Tel: Nalayini 081 866 3363.*

Feb. 17 *Full Moon.*

Feb. 22 *9.30am* **London Tamil Academy** *in collaboration with Brent Careers Office & N.W. London T.E.C. organises* **Careers Convention** *in Wembley High School Hall, East Lane, Wembley, Middx. Admission Free. For details Tel: 081 904 3937.*

At the Bhavan Centre, 4A Castletown Road, London W14 9HQ. Tel: 071 381 3036/4068

Feb. 8 *7.00pm* **India's Republic Day** *Celebrations. Cultural Programme. All welcome.*

Feb. 15 *5.30pm* **Slide Show** *on* **Rajasthan** *by* **Dr. Jayant Thakkar.** *All Welcome.*

Feb. 22 *5.30pm A talk on* **Tirukkural & Modern Life** *by* **Dr. S.K. Joishy.** *All welcome.*

Feb. 29 *7.00pm Karnatic Vocal by* **Mrs. Sivasakti Sivanesan.**

Tamil Kalai Vila

A feast of melodious music, dance and drama was presented by the students and teachers of the London School of Carnatic Music at its annual Kalai Vila held at Riverdale Hall, London SW13 on 3.11.91 under the distinguished patronage of Councillor Jim Dowd, Mayor of Lewisham. Mrs. Saraswathy Packiarajah, the renowned carnatic vocalist was the chief guest.

The packed audience was held in rapt attention to the Poojah dance presented by the students of the school, accompanied by the melodious singing of Vijaya Thavasilingham. She provided the vocal accompaniment for all the subsequent dances and later delighted the audience with rarely heard compositions of carnatic music for over half an hour. She was accompanied by Thiruvarur Kothandapani on Violin, Nathamani Muthu Sivarajah on Miruthangam, Angelo Kumarathasan on Kanjira and Srinivasan on Moharsing.

Most of the children who took part in the items viz performing Bharathanatyam, singing and reciting Tamil songs, playing mirthangam and Veena, acting in Tamil plays were born and brought up in the U.K. and their ability to attain high standards was highly appreciated by the audience. The credit for this achievement should go to the enthusiastic committee led by the President Dr. Jeyanathan and the committed teaching staff.

The highlight of the evening was the Nattu Koothu – Eelam Kanda Pandiyan presented by the Kent Tamil Society.

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Call for Canadian Intervention

The Ontario Senior Tamils Centre at their Annual General Meeting held on 9.11.91, called upon the Canadian Government to intervene on behalf of their loved ones left behind in Sri Lanka and (a) Treat the just struggle of the Sri Lankan Tamils for a homeland as on par with the struggle of the Kurds, Palestinians, East Timories and the Croatians. (b) Prevail upon the Government of Sri Lanka to end the armed conflict and seek a negotiated settlement with the Tamils. (c) Bring economic and diplomatic pressure on the Government of Sri Lanka to lift the economic blockade of the Jaffna peninsula where over a million lives are in peril.

The following were elected to office for 91/92. – **President:** *Fred Balasingham,* **Vice-President:** *Mani Pathmarajah,* **Secretary:** *Sam Jayatheva,* **Treasurer:** *Candiah Kanagalingam,* **Other Members of Board:** *Aloy Ratnasingham, Kanagambigai Ragunathan, Ranji Hubert, S. Tharmalingam, C.T. Wijeyarajah, Soloman Rasanayagam and Siva Sivaramalingam,* **Auditor:** *V. Eeswara-Nathan,* **Editor:** *A.R. Alexander.*

The outgoing committee hosted the Principal Emeritus Skantha Varodaya College, Jaffna, Mr. C. Subramaniam (Orator) at a party held on 23.10.91 at the Oriole C.R.C. when he was on holiday in Toronto.

Arangetram of Three Sisters

Three sisters Sujatha, Ameera and Gunalogie daughters of Mr. & Mrs. Gunasekaram of Edmonton, London E17, had their Bharatha Natya Arangetram at Logan Hall, London WC1 on 7.9.91 before a large and appreciative audience. A dance arangetram in trio form is a very difficult exercise as there has to be synchronization and skilful coordination to blend a unified presentation and Mrs. Pathmini Gunaseelan, the Guru came out with flying colours. She is the director of the Narthana Kalalaya, and besides being a diploma holder in Bharatha Natyam and Nattuvangam of the prestigious Institute 'Bharata Choodamani', Madras, she is a Sangeetha Vidwan of the Carnatic College, Madras. She did the Nattuvangam and was ably assisted by Gana Booshanam Ambika Thamotheram – Vocal, Nathamani Muthu Sivarajah – Mirudangam, Sangeetha Vidwan Kalaivani Indrakumar – Violin, S. Thayaparan – Flute, K. Sithamparanathan – Morsing. Dr. (Mrs.) Manjubhashini Sivanathan was the compere.

The three sisters kept the audience enthralled by their scintillating performance and demonstrated that they had a bright future ahead of them.

Tamil Refugees in Canada

Mr. Alan Redway, Q.C., M.P., House of Commons, Canada has presented a petition from the Senior Tamils Centre of Ontario to the Canadian Parliament on 21.11.91 regarding the plight of the Tamil Refugees in Canada. They have requested that their applications for refugee status be expedited, early reunion with their families be facilitated, information regarding the progress made with their applications be made available and an early solution be found for the resultant difficulty in obtaining employment. Mr. Redway is also very sympathetic regarding the plight of the Tamils of Sri Lanka and is being looked upon as an ideal person to negotiate with the Sri Lankan Government to resolve the ethnic conflict.

Inquiry Sought on Tamil Detainees

The Parliamentary Committee for Human Rights has requested President Ranasinghe Premadasa to bring before the Jayalath Committee the cases of over 200 Tamil youth detained at the New Magazine Prison, Colombo under the Prevention of Terrorism Act (PTA).

About 205 youth had been arrested by the security forces in the East, Jaffna, Mannar and plantation areas after fighting erupted between the military and the LTTE in June 1989. About 20 others had been arrested prior to that.

These detained youth had sought the assistance of Attorney-at-law and M.P. Hambantota District, Mahinda Rajapakse to bring their plight to the attention of President Premadasa and seek his intervention for them to be produced before the Jayalalith Committee.

The detainees in a letter to Mr. Mahinda Rajapakse through the Opposition Leader Mrs. Sirimavo Bandaranaike have claimed that they had not been part of the LTTE or involved in any sort of armed clash with the state security forces. Upto late last month only four of the detainees had been produced before the courts, the letter has stated.

These detainees at the New Magazine Prison were only a section of Tamils detained for alleged involvement in terrorist activities. Sources said the detainees at the Kalutara detention centre had been visited by the members of the Jayalath Committee recently after agitation. There are about 300 detainees in Kalutara.

The New Magazine Prison detainees have threatened to launch a fast unto death campaign if the government failed to respond to their request to be brought before the Jayalath Committee.

Several hundreds of Tamil youth including a considerable number of women have been arrested and detained in various parts of the country for alleged involvement in terrorist activities. Some of them have been agitating for better treatment.

The government allowed the ICRC and other such organisations to visit the detainees including those detained in the north-eastern region.

World Thirukkural Conference 1992

Preparations are being made by the World Tamil Maraik Kalagam to hold its twenty fifth Thirukkural Conference as WORLD THIRUKKURAL CONFERENCE. The Conference will be held in Madras for three days in September 1992.

Mr. K.P. Ratnam, President of the Kalagam, Address H-15/11 Kalashetra Colony, Besant Nagar, Madras-600 090, Tel: 416265 requests all those engaged in studies of Thirukkural and those interested in it, to register themselves as delegates to the Conference. The registration fee is US$ 25 and the last day of registration is 1st March 1992. Delegates are requested to send their biodata with the registration fee.

Delegates who propose to read papers at the Conference should send their papers before 1st June 1992 for scrutiny and acceptance.

Donations and suggestions from well wishers and devotees of the Tamil Veda will help to organise the first World Conference on a big scale.

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